FEDERAL REGISTER

VOLUME 12 NUMBER 106

Washington, Thursday, May 29, 1947

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

LIST OF POSITIONS EXCEPTED

The Commission has considered the request of the Secretary of War and has determined that the positions of Civilian Directors of Studies employed for not to exceed six months in any twelve-month period for service at The National War College, Washington, D. C., should be excepted from the competitive service and appointments thereto made in the same manner as appointments are made to positions under Schedule A. These positions are, therefore, added to the list of positions excepted from the competitive service, effective upon publication in the FEDERAL REGISTER.

§ 6.4 *Lists of positions excepted from the competitive service*—(a) *Schedule A.* * * *

(4) *War Department.* * * *

(xv) Civilian Directors of Studies employed for not to exceed six months in any twelve-month period for service at The National War College, Washington, D. C.

(Sec. 6.1 (a) E. O. 9830, Feb. 24, 1947, 12 F. R. 1259)

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,
H. B. MITCHELL,
President.

[F. R. Doc. 47-5067; Filed, May 28, 1947; 8:57 a. m.]

PART 7—REINSTATEMENT

GENERAL REQUIREMENTS FOR REINSTATEMENT OF PERSONS WHO HAVE COMPETITIVE STATUS

Section 7.101 (a) (2) is amended to read as follows:

§ 7.101 *General requirements for reinstatement of persons who have competitive status.* (a) * * *

(2) If separated during his probationary period, reinstatement must be made within one year of separation, but such reinstatement shall be subject to completion of probation and may be made only in the same agency and in the same type of position, grade, and locality, except that a probationer separated through reduction in force may be reinstated in any agency and to any position in any locality if he meets the qualifications standards for promotion or reassignment to the position.

(R. S. 1753, sec. 2, 22 Stat. 403, 50 Stat. 533; 5 U. S. C. 631, 633)

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,
H. B. MITCHELL,
President.

[F. R. Doc. 47-5103; Filed, May 23, 1947; 8:48 a. m.]

PART 20—RETENTION PREFERENCE REGULATIONS FOR USE IN REDUCTIONS IN FORCE

MISCELLANEOUS AMENDMENTS

1. The material under the heading "Group C" in § 20.3 (12 F. R. 2850) is amended to read as follows:

§ 20.3 *Retention preference; classification.* * * *

Group C: All employees serving under appointments specifically limited to one year or less, all non-citizen employees serving within the continental limits of the United States (effective July 1, 1947, citizens of the Republic of the Philippines appointed to positions in the Federal service prior to July 1, 1946, serving within the continental limits of the United States will be included in this group. Citizens of the Republic of the Philippines appointed or reappointed after a break in service of more than 30 days since July 1, 1946, will be included in this group immediately), all employees continuing beyond the automatic retirement age, and all annuitants appointed under section 2 (b) of the Civil Service Retirement Act, as amended.

2. Paragraph (c) of § 20.10 (12 F. R. 2852) is amended to read as follows:

§ 20.10 *Notice to employees.* * * *

(c) His right to appeal the proposed action to the Commission (departmental employees in the Washington area to the central office, and others to the appropriate regional or branch office) within 10 days from the receipt of notice, and

(Sec. 12, 58 Stat. 390; 5 U. S. C., Sup., 861)

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,
H. B. MITCHELL,
President.

[F. R. Doc. 47-5104; Filed, May 23, 1947; 8:48 a. m.]

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

[1] See Title 5, Part 6.

CODIFICATION GUIDE—Con.

PART 33—CLAIMS AND APPEALS OF VETERANS; RECOGNITION OF REPRESENTATIVES

AGENTS

Section 33.2 is amended to read as follows:

§ 33.2 *Agents.* Any competent person of good moral character and of good repute who is a citizen of the United States, or who has declared his intention to become a citizen of the United States, may be designated as an agent. A person (other than a member of Congress) claiming to act as an agent must submit a written statement from the veteran (CSC Form 307)[1] authorizing him to represent the veteran in his claim or appeal. A written statement shall not be required of a member of Congress claiming to act as an agent to represent a veteran in his claim or appeal. (Sec. 11, 58 Stat. 390; 5 U. S. C., Sup., 860)

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,
H. B. MITCHELL,
President.

[F. R. Doc. 47-5066; Filed, May 23, 1947; 8:57 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter F—Banks for Cooperatives

[FCA Order 451]

PART 70—LOAN INTEREST RATES AND SECURITY

INTEREST RATE ON LOANS SECURED BY COMMODITY CREDIT CORPORATION LOAN DOCUMENTS

Section 70.90-51 of Title 6 of the Code of Federal Regulations, is hereby amended, effective May 21, 1947, to read as follows:

§ 70.90-51 *Interest rate on loans secured by Commodity Credit Corporation loan documents.* Except as specified in paragraph (c) of this section, the rate of interest on loans made on or after May 10, 1944, by any district bank for cooperatives or the Central Bank for Cooperatives to eligible farmers' cooperatives, upon the security of the following types of Commodity Credit Corporation loan documents, shall be 1.00 per centum per annum:

(a) Those representing loans made by such farmers' cooperatives as lending agents pursuant to agreements entered into with Commodity Credit Corporation and which are evidenced by notes of their producer members or farmer patrons, and qualified for purchase by and sale to Commodity Credit Corporation;

(b) Those representing cotton qualified for loans from Commodity Credit Corporation to such farmers' cooperatives pursuant to agreements entered into with Commodity Credit Corporation.

(c) On those loans made to such farmers' cooperatives on or after May 21, 1947, upon the security of Commodity Credit Corporation loan documents covering commodities in which the producer members or farmer patrons of such associations do not have the right to redeem commodities delivered by them and covered by such Commodity Credit Corporation loan documents, the rate of interest shall be 1.5 per centum per annum for the first 6 months, and 1.00 per centum per annum thereafter. (Sec. 8, 46 Stat. 14, as amended; 12 U. S. C. 1141f).

[SEAL] I. W. DUGGAN,
Governor.

MAY 22, 1947.

[F. R. Doc. 47-5106; Filed, May 23, 1947; 8:48 a. m.]

[1] Filed with the Division of the Federal Register.

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property, Department of Justice

PART 501—RULES OF PROCEDURE

TIME FOR FILING DEBT CLAIMS

1. Paragraph (b) (2) of § 501.5 is hereby amended to read as follows:

§ 501.5 *Time for filing claims.* * * *

(b) *Debt claims.* * * *

(2) By order (12 F. R. 3394, May 24, 1947) the time fixed for the filing of debt claims by Bar Order No. 1 (12 F. R. 1449, March 1, 1947) has been extended and September 2, 1947 has been fixed as the date after which the filing of debt claims shall be barred in respect of debtors, any of whose property was vested in or transferred to the Attorney General of the United States or his predecessor, the Alien Property Custodian, between December 18, 1941, and December 31, 1946, inclusive.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. App. and Sup. 1, 616; E. O. 9142, Apr. 21, 1942, 3 CFR, Cum. Supp., E. O. 9725, May 16, 1946, 11 F. R. 5381, E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., this 20th day of May 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director
Office of Alien Property.

[F. R. Doc. 47-5135; Filed, May 23, 1947; 9:01 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

PART 208—MEMBERSHIP OF STATE BANKING INSTITUTIONS IN THE FEDERAL RESERVE SYSTEM

SALES OF MORTGAGES BY STATE MEMBER BANKS

The following interpretation under this part relating to membership of State banking institutions in the Federal Reserve System was issued by the Board of Governors of the Federal Reserve System on May 13, 1947.

§ 208.101 *Sales of mortgages by State member banks.* The Board of Governors has given consideration to an inquiry with regard to the applicability of standard condition of membership numbered 3, (§ 208.6 (a) (3)) or a similar condition of membership, to the activity of State member banks in selling to other banks in some volume, without recourse, real estate mortgages which they will continue to service for a consideration.

It is noted that the member banks are selling such mortgages at no premium, that each bank has now invested the aggregate amount in real estate mortgages it is permitted to invest under the

limitations imposed by State law and that an active demand for such loans continues in the community served by each. However, these considerations do not appear to have a direct bearing upon the applicability of the condition of membership.

Standard condition of membership numbered 3 reads as follows:

3. Such bank shall not engage as a business in issuing or selling either directly or indirectly (through affiliated corporations or otherwise) notes, bonds, mortgages, certificates, or other evidences of indebtedness representing real estate loans or participations therein, either with or without a guarantee, indorsement, or other obligation of such bank or an affiliated corporation.

A condition of membership having substantially the same effect as the present standard condition numbered 3 has been prescribed for all State banks applying for membership since March 1933. One of the practices that proved most harmful to a number of banks in some sections had been that of selling real estate mortgages or participations therein to the general public with a guarantee expressed or implied, or in circumstances causing the purchasers to assume that such mortgages would be repurchased upon request. Often such obligations were sold without an expressed guarantee or even with the provision that they were sold without recourse but the issuing or selling bank had freely repurchased them upon demand over so long a time that the holders had been led to believe that they were, in fact, obligations of the bank payable on demand. In prescribing the condition of membership, the Board had in mind particularly sales of mortgages to the general public who were not in a position to evaluate real estate loans and might consider the bank at least morally obligated to make good any loss sustained.

It is to be assumed that a bank or other financial institution, such as an insurance company, purchasing real estate loans from a bank, without recourse, is qualified to appraise such loans and would have no reason to feel that the selling bank acts as guarantor of the soundness of the investment. Therefore, the Board of Governors will not consider the sale of real estate mortgages by a State member bank to other banks or financial institutions, such as insurance companies, without recourse, as coming within the purview of standard condition of membership numbered 3, or a similar condition of membership.

While the purpose and effect of the foregoing is to remove from the scope of the condition of membership transactions of the kind set forth, it should be noted that any abuses or unsafe or unsound practices arising in such activity remain subject to supervisory criticism and correction.

(Sec. 11 (i) 38 Stat. 262, sec. 3, 40 Stat. 232, 42 Stat. 821, sec. 17 (b) 48 Stat. 185, sec. 9, 44 Stat. 1229, 45 Stat. 492, 46 Stat. 170, sec. 2, 46 Stat. 251, sec. 1, 46 Stat. 814, sec. 5, 48 Stat. 164, sec. 2, 48 Stat. 971, sec. 202, 49 Stat. 704, sec. 310 (b) 49 Stat. 710, sec. 320, 49 Stat. 713, sec. 338, 49 Stat. 721, sec. 12B (e) (g), (y) 49 Stat. 687, 688, 703, secs. 325, 345, 49 Stat. 715, 722; 12 U. S. C. and Sup. 248 (i), 321–338, 264 (e) (g) (y) 486, 51b–1)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Secretary.

[F. R. Doc. 47–5060; Filed, May 28, 1947; 8:57 a. m.]

PART 222—CONSUMER CREDIT

AUTOMOBILE APPRAISAL GUIDES

The following interpretation under this part relating to Consumer Credit was issued by the Board of Governors of the Federal Reserve System on April 25, 1947:

§ 222.113 *Automobile appraisal guides.* The Board has been asked whether the provisions of § 222.9 (d) which require reference to an automobile appraisal guide in determining the minimum down payment to be obtained on used automobiles, are applicable to credits extended for used 1947 model automobiles. The question arises because a number of the designated appraisal guides are not at present publishing retail values for such models.

The Board has ruled that no such reference need be made until all designated appraisal guides publish retail values for used 1947 automobiles. When such publication occurs, notice will be given in all appraisal guides. This means that the maximum amount of credit which can be extended for used 1947 automobiles at present is two-thirds of the cash price. The rule is the same as that applicable to 1936 and older models for which retail values are published in some of the guides but not in others. In the case of the 1937 to 1946 model automobiles, the maximum amount of credit is two-thirds of the cash price or the appraisal guide value, whichever is lower.

(Sec. 5 (b) 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179; secs. 301 and 302, 55 Stat. 839, 840; 12 U. S. C. and Sup. 95 (a) 50 U. S. C. App. 616, 617; E. O. 8843, Aug. 9, 1941, 3 CFR Cum. Supp.)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Secretary.

[F. R. Doc. 47–5044; Filed, May 28, 1947; 8:57 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21–402]

PART 171—TRADE PRACTICE RULES FOR THE HOUSEHOLD FABRIC DYE INDUSTRY

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 22d day of May 1947.

Due proceedings having been held under the Trade Practice Conference procedure, in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act) and other provisions of law administered by the Commission;

It is now ordered, That the Trade Practice Rules as hereinafter set forth, which have been approved by the Commission in this proceeding, be promulgated as of May 29, 1947.

Statement by the Commission. Trade practice rules for the Household Fabric Dye Industry are approved and promulgated by the Federal Trade Commission as hereinafter set forth.

The Industry and its products. The industry to which the rules relate is composed of the persons, firms, and corporations engaged in the business of placing on the market household fabric dyes, tints, and color remover. The dyes and tints are those which are blended, prepared, and packaged for use in the home in dyeing, redyeing, coloring, tinting, or retinting fabrics and textile materials used in wearing apparel, home furnishings or home decorations. The color remover products of the industry are marketed for use in the home to remove stains from fabrics and to remove color and stains from fabric material preparatory to redyeing or retinting such material.

Proceedings. Proceedings for establishment of rules for the industry were instituted by the Commission after a general investigation of the practices prevalent in the industry. Thereafter a trade practice conference of the entire industry was held in Washington, D. C., at which suggestions by members of the industry and proposals for rules in respect of the matter were considered and discussed. Following such conference, a consolidated and revised draft of proposed rules under discussion was prepared and made available to all members of the industry and all interested or affected parties and public notice was issued under which all persons concerned were afforded opportunity to study the proposed rules and to submit for consideration of the Commission their views, suggestions, or objections in the premises and to be heard at a time and place of hearing designated in such notice. Accordingly, public hearings were held in Washington, D. C., on February 13, 20, and 27, 1947.

All matters presented at such hearings or received in the proceedings were fully considered. The Commission thereupon approved the rules in the form hereinafter set forth and directed their promulgation.

Objectives of the rules and utilization of cooperative action therein. The rules are designed to foster and promote the maintenance of fair competitive conditions in the industry, to aid in maintaining high standards of ethical business conduct throughout the industry, and to protect purchasers, prospective purchasers, and the public. The unfair practices specified in the rules are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices of the type prohibited in respect of interstate commerce under laws administered by the Federal Trade Commission. The provisions of the rules are to be construed in the direction of

preventing such practices in harmony with the requirements of law and the public interest.

To the end of maintaining such objectives and purposes, proper cooperative effort may be utilized in applying the rules toward effecting voluntary compliance equitably promptly, and economically throughout the industry in order that the necessity of having to resort to adversary proceedings in individual cases may be minimized.

In furtherance of such cooperative effort and for the purpose of voluntary adjustment and compliance, members of the industry are invited to consult freely with the Commission from time to time relative to matters respecting the operation of the rules in their businesses, and with the view of affording the fullest measure of benefits in preventing the growth or inception of conditions or practices which would be in conflict with the rules and the applicable provisions of law.

In the event any unfair trade practice is not promptly and effectively prevented through such voluntary action and cooperative effort, or where otherwise deemed necessary, appropriate mandatory proceedings in the public interest will be employed by the Commission in accordance with the requirements of law to prevent the use in commerce of the unlawful and unfair practices specified.

Amendments. Proceedings to amend the rules may be authorized in accordance with the Commission's trade practice conference procedure when necessary to deal with new conditions which may arise from time to time in the industry, or when otherwise deemed warranted or required.

Effective date of rules. Members of the industry are afforded opportunity to confer with the Director of Trade Practice Conferences and determine, subject to the Commission's approval, upon such reasonable period of time for making, promptly and diligently, whatever changes or adjustments in their advertising, labeling, and selling programs may be necessary under these rules. Subject thereto, the rules as set forth below become operative thirty (30) days from date of promulgation.

Being directed to the maintenance of fair competititon, the rules do not permit of any agreement, understanding, combination, conspiracy, or concert of action between two or more members of the industry or with one or more other persons to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade.

Sec.

AUTHORITY: §§ 171.0 to 171.15, inclusive, issued under 38 Stat. 717, as amended; 15 U. S. C. 41, et seq.

§ 171.0 *Definitions.* As used in this part, the following terms shall have the respective definitions set forth below:

(a) *Industry product.* Shall mean any dye, tint, or color remover marketed for use in the home in connection with fabrics.

(b) *Fabric.* Shall mean any material (including yarn) which is spun, woven, knitted, or felted from natural and/or man-made textile fibers or filaments, which material is commercially produced and used in garments, household furnishings or decorations in the home.

(c) *Dye.* Shall mean a preparation marketed by industry members for home use in restoring color or imparting a new or different color to fabrics by dyeing or tinting them.

(d) *Color remover.* Shall mean a preparation marketed by industry members for home use in removing color and/or removing stains from fabrics preparatory to re-dyeing or re-tinting them, or for home use in removing stains from white fabrics.

§ 171.1 *Misuse of the terms "all fabric", "all purpose" and similar representations, as applied to industry dyes or tints*—(a) *"All fabric"; unqualified use.* It is an unfair trade practice to use the term "all fabric" or representations of similar import, as descriptive of a dye or tint which, applied as directed, will not dye or tint to the specified or represented color or shade, or to a close simulation thereof, all types and kinds of fabrics commercially produced and used in garments, household furnishings or home decorations; subject, however, to the following:

(1) *"All fabric": qualified use.* When the product, applied as directed, will effectively dye or tint to the specified or represented color or shade, or to a close simulation thereof, all types and kinds of fabrics commercially produced and in use in garments, household furnishings or home decorations, with the exception of certain fabrics which are commercially produced and in such use in minor proportion, nothing in this section shall be construed as prohibiting the use as descriptive of such dye or tint of the term "all fabric" provided it is accompanied with a statement and qualification in close conjunction which nondeceptively discloses such fabric limitation or exceptions, as for example:

All Fabric
Except Fiber Glass
or

All fabric dye for wool, cotton, linen, rayon, nylon, and silk. Not recommended for use on any other fibers or fabrics than those named.

(2) *Disclosure as to necessity for removal of color.* If to produce any specified or represented color or shade, or close simulation thereof, it is necessary that the fabric to be dyed or tinted be, or be reduced to, white or nearly white, or be of a certain color, nothing in this section shall be construed as prohibiting use of the term "all fabric" by reason of such fact, provided disclosure thereof is made reasonably sufficient to inform the buying public and avoid misunderstanding and deception of purchasers, either by statement on the consumer package, in color cards and instructions, or otherwise.

(b) *"All purpose"* All the foregoing provisions with respect to the term "all fabric" shall also be applicable with like force and effect to the term "all purpose" and representations of similar import, as applied to any dye or tint of this industry: *Provided, however* That in connection with the use of the term "All Purpose" it shall also be clearly and conspicuously stated that the product is a dye or tint for fabric. It is an unfair trade practice to use the term "all purpose", or representations of similar import, contrary to any of the requirements of this section as herein specified. [Rule 1]

§ 171.2 *Misrepresentations as to coverage of dyes or tints.* It is an unfair trade practice for any member of the industry to give a false or misleading statement or approximation of the size of article or quantity of fabric which the dye or tint in the respective packages offered for sale by such member will satisfactorily color to the respective shades or colors designated: *Provided, however,* That reasonable approximations, truthfully and nondeceptively stated may be given.

NOTE: As to misrepresentation regarding coverage or efficacy of color remover, see § 171.5 (Rule 5).

[Rule 2]

§ 171.3 *Misrepresentations as to colors or shades obtainable.* It is an unfair trade practice to use any form of representation respecting color or shade which directly or by implication is false, misleading, or deceptive. Pursuant to this section:

(a) It is an unfair trade practice, in selling or promoting the sale of packages of dye or tint, to use color cards or color illustrations of any kind in relation to such packages when the respective colors and shades shown by such color cards or illustrations do not accurately represent or closely simulate the colors and shades which the contents of the respective packages produce when applied as directed.

(b) If to obtain any specified or represented color or shade, or close simulation thereof, it is necessary that the fabric to be dyed or tinted be, or be reduced to, white or nearly white, or be of a certain color, this fact is to be truthfully and nondeceptively disclosed in a man-

ner reasonably sufficient to inform the buying public and avoid misunderstanding or deception of purchasers of the product. [Rule 3]

§ 171.4 *Use of the words "fast" "fadeless" "fade-proof", "unfadable" "sunfast", "wash-fast", and representations of similar import.* (a) In respect of any dye or tint, or the color or shade to be produced thereby, it is an unfair trade practice:

(1) To describe such as being "fast", "fadeless", "fade-proof" "unfadable" or by representation of similar import, unless the color and shade produced by such dye or tint, applied as directed, will not show any substantial change, fading, or deterioration of color throughout the useful life of the dyed or tinted article under ordinary conditions of use or

(2) To describe such as being "washfast" "sunfast" or by representations of similar import, unless the color and shade produced by such dye or tint, applied as directed, will show no substantial change, fading, or deterioration of color throughout the useful life of the dyed or tinted article from such washing or exposure to sunlight, respectively, as such article is likely to be subjected to during its useful life.

(b) It is an unfair trade practice to use any other false, misleading, or deceptive representations respecting the fastness or durability of the color or shade produced or to be produced by any dye or tint.

(c) Nothing in this section shall be construed as prohibiting use of the word "fast" as part of the description of the durability of the color or shade produced or to be produced by any dye or tint when used in a representation which clearly, truthfully, and nondeceptively sets forth the measurable minimum degree of fastness or durability of the dye or shade to the respective color-destroying contingencies, factors, or agencies which the fabrics, or products made therefrom, may be or are likely to be subjected, as for example:

Fast to 30 hours exposure to sunlight; or
Fast to perspiration; or
Fast to hand-washing in lukewarm water.

[Rule 4]

§ 171.5 *Deception respecting efficacy of color removers.* It is an unfair trade practice to misrepresent, directly or indirectly, the effectiveness of a color remover, either as to the types or quantity of dyestuffs it will remove or the kinds, types, or quantity of fabric upon which it is effective. Under this section no representation shall be made that a color remover will remove all color or stain from a fabric, or will make a fabric white, or will restore a fabric to its original color, unless such representation be unequivocally true and nondeceptive. [Rule 5]

§ 171.6 *Disclosure of sponsor and other information.* (a) In the interest of avoiding irresponsible and anonymous products, the outside of the packages in which the industry's products are sold to the consuming public should bear the name and location of the place of business of the manufacturer or producer, or of the person or concern placing the product on the market.

(b) Directions for use of industry products should be placed on the outside of the package in which the product is sold or a clear statement placed on the outside of the package that directions for use are contained inside. In the event any special equipment not ordinarily found in the home is required for satisfactory application, such fact should be stated on the outside of the package.

(c) The practice of omitting from the outside of the package the information specified in paragraphs (a) and (b) of this section, with the capacity and tendency or effect of thereby misleading or deceiving the public, is an unfair trade practice. [Rule 6]

§ 171.7 *Guarantees, warranties, etc.* (a) It is unfair trade practice to use any guarantee respecting an industry product, or advertisement or representation in relation thereto, which is false, misleading, or deceptive because it does not make reasonable disclosure of the conditions or limitations of the guarantee or which is false, misleading, or deceptive for any other reason.

(b) Without in any way limiting the foregoing provisions of this section, guarantees of the following type or character shall not be used:

(1) Guarantees containing statements, promises, or assertions which have the capacity or tendency to mislead or deceive any purchaser in any material respect as to the utility or efficacy of the industry product.

(2) Guarantees which are so used or which are of such form, text, or character as to import, imply, or represent that the guarantee is broader or will afford more protection to purchasers or users than is in fact true.

(3) Guarantees in which any condition, qualification, or contingency applied in practice by the guarantor is deceptively concealed and is not fully and nondeceptively stated therein or is stated in such manner or form as to be deceptively minimized, obscured, or concealed in whole or in part.

(4) Guarantees which are stated, phrased, or set forth in such manner that although the words used are literally and technically true, the whole is misleading in that purchasers or users are not made sufficiently aware of certain contingencies or conditions which are applicable to such guarantees and which materially lessen the value thereof as a guarantee to purchasers or users.

(5) Guarantees which purportedly extend for such indefinite or unlimited period of time or for such long period of years as to have the capacity and tendency or effect of thereby misleading or deceiving purchasers or users into the belief that the product has or is definitely known to have a greater degree of serviceability, utility or efficacy in actual use than is in fact true.

(6) Guarantees issued, or directly or indirectly caused to be used, in respect of an industry product, when or under which the guarantor fails or refuses to observe scrupulously his obligations thereunder or fails or refuses to make good on claims coming reasonably within the terms of the guarantee.

(7) Guarantees which in themselves, or in the manner of their use, are otherwise false, misleading, or deceptive in any material respect.

(c) This section shall be applicable not only to guarantees, but also to warranties, purported warranties and guarantees, and to any promise or representation in the nature of or purporting to be a guarantee or warranty. [Rule 7]

§ 171.8 *Confusion as to "tint" and "dye".* It appears that through the years during which the public has been supplied with home dyes and tints by this industry there has grown up a substantial understanding on the part of consumers that in the main "tinting" requires a dye bath of lesser temperature than does "dyeing;" that, therefore, a tint is in general regarded as easier to apply than a dye and less likely to be injurious to fabrics which may be adversely affected by high temperatures. In view of this situation, it is important that members of the industry safeguard their advertising, labeling, and selling practices against the possibility of misleading or deceiving the public through representations that any of their products is as easy to apply and as harmless to all fabrics as a tint where such is not the fact, or by other use of the words "tint" and "dye" in such manner as to be confusing or misleading to the public. It is an unfair trade practice to mislead or deceive the public in any such respect.

Likewise, it appears to be the consensus of opinion that "dyeing" may be expected to achieve, in most cases, a substantially greater degree of durability of color than "tinting." It is an unfair trade practice to represent that "tinting" achieves durability of color equivalent to the durability of color achieved by "dyeing" except in those cases in which such representation is unequivocally true. [Rule 8]

§ 171.9 *Other forms of deception.* It is an unfair trade practice to offer for sale, sell, or distribute any industry product, or to promote the sale or use thereof, by any method or under any circumstance or condition which has the capacity and tendency to mislead or deceive purchasers, prospective purchasers, or the public, in any material respect, whether concerning the utility or efficacy of the product, its newness or exclusive character, or the results to be achieved by its use, the quantity to be used, the grade, composition, ingredients, ease or method of application, safety, origin, sources of manufacture of the product, or concerning any other matter. [Rule 9]

§ 171.10 *Improper use of demonstrators and payment of spiffs, push money, etc.* (a) It is unfair trade practice for any member of the industry to furnish demonstrators, or pay, reimburse, or allow in whole or in part the compensation of demonstrators, or to pay or grant "push money," "spiffs," or any other bonus, gratuity, payment, or allowance to any dealer or distributor or to any clerk, salesperson, or employee of a dealer or

distributor, with the purpose or effect of inducing, encouraging, or causing such customer-dealer, or his clerk, salesperson, or employee, to give preferential sales effort to such member's products over competing industry products or to discourage the purchase of a competitor's products by the public:

(1) Where the capacity and tendency or effect of such practices is to cause the public when making purchases of industry products to be misled or deceived into the erroneous belief that said demonstrators, dealers, or salespersons are free from such special interest or influence or are not so subsidized, paid, or employed by such industry member; [1]

(2) Where the effect of any such practice is to hamper and unduly restrict the legitimate, free, and full use and enjoyment of such trade outlets for the distribution of competing industry products; or

(3) Where the purpose or effect of any such practice is to substantially lessen competition or unreasonably restrain trade or tend to create a monopoly in the marketing of industry products; or

(4) Where the effect of such practices is to bring about, or to serve as a means of bringing about, a discrimination in price, service, facilities, or other practice contrary to the provision of the Robinson-Patman Act.

(b) Nothing in this section shall be construed as prohibiting the furnishing of actual demonstrators, namely, persons who are skilled in the demonstration of, and in educating the public in respect to, the application and use of the product and who actually perform such demonstrations, when such demonstrators are furnished and employed in such manner and under such conditions as not to involve any of the inhibited tendencies, results, or effects specified in paragraph (a) (1) (2) (3) and (4) of this section. [Rule 10]

§ 171.11 *Exclusive or pre-emptive deals to eliminate or suppress competition.* Wherever the effect may be to substantially lessen competition, or tend to create a monopoly, it is an unfair trade practice for any member of the industry to purchase or otherwise acquire, in whole or in part, from a distributor or dealer the stock of competing products of any competitor of such industry member, to make loans to a distributor or dealer, to guarantee a distributor or dealer increased profits as compared with profits previously obtained in the handling of competitive industry products, or to furnish or promise to furnish to a distributor or dealer anything of value, when such acts or practices are done:

(a) Upon any express or implied condition, agreement, or understanding, that the distributor or dealer will discontinue handling competitive industry products and will handle such member's industry products exclusively; or

(b) As an inducement to the distributor or dealer to discontinue handling competitive industry products; or

(c) As an inducement to the distributor or dealer to eliminate or reduce the display space accorded to, or derogate the display of, competing industry products and to grant a greater amount of display space, or accord a more favorable display, to such industry member's products. [Rule 11]

§ 171.12 *Advertising or promotional allowances.* (a) It is an unfair trade practice for any member of the industry to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of any of his customers as a compensation or in consideration for certain services or facilities, unless such payment or consideration is available on proportionally equal terms to all his other customers competing in the distribution of his products or commodities.

(1) Said certain services or facilities referred to in the foregoing paragraph of this section are such as are furnished by or through the customer in connection with the processing, handling, sale, or offering for sale of any product or commodity manufactured, sold, or offered for sale by such industry member in the course of his commerce. [Rule 12]

§ 171.13 *Other discriminations contrary to law.* In the course of marketing industry products in commerce,[2] it is an unfair trade practice to discriminate in price directly or by means of discriminatory discounts, rebates, refunds, or other means; to pay or receive certain brokerage or commissions; or to furnish services or facilities on terms not accorded to all customers on proportionally equal terms; if and when such respective practices are pursued under the circumstances and conditions bringing the practices within the inhibitions of the Robinson-Patman Act as amended. (49 Stat. 1526–1528; 52 Stat. 446). [Rule 13]

§ 171.14 *Miscellaneous unfair trade practices.* It is an unfair trade practice:

(a) To refer, in advertisements or representations in respect of a dye or tint, to weaves or fabrics in such manner as to confuse and mislead or deceive purchasers or prospective purchasers;

(b) To use any trade name, corporate name, trade-mark, or other trade designation in such a manner as to have the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public as to the character, name, nature, or origin of any product of the industry, or any material used therein, or in any other material respect;

(c) For any concern, in the course of or in connection with the distribution of industry products, to represent, directly or indirectly, that it is a manufacturer of industry products, or that it owns or controls a factory or laboratory making such products, when such is not the fact, or in any other manner to misrepresent the character, extent, or type of its business;

(d) To defame competitors by imputing to them falsely any dishonorable conduct, inability to perform contracts, questionable credit standing, or to make any other false representation or false disparagement of such competitor or of any industry product of any such competitor in any respect, or of such competitor's business methods, selling prices, values, credit terms, policies, or services;

(e) Unlawfully to induce or attempt to induce the breach of existing lawful contracts between his industry member and any customer or supplier by any means whatsoever or to interfere with or obstruct the performance of any such contractual duties or services by any such means;

(f) Directly or indirectly to give, offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of any other industry member's customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by any industry member, or to influence such employers or principals to refrain from dealing in the products of any other industry member or from dealing or contracting to deal with any other industry member;

(g) To employ or otherwise procure any person to disparage deceptively any other industry member or the industry product of any industry member. [Rule 14]

§ 171.15 *Aiding or abetting use of unfair trade practices.* It is an unfair trade practice for any person, firm, or corporation to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in this part. [Rule 15]

Promulgated and issued by the Federal Trade Commission May 29, 1947.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 47-4931; Filed, May 23, 1947; 8:49 a. m.]

[1] Means or methods employed to prevent deceptive tendencies or effects in the use of demonstrators or the payment of push money, spiffs, etc., must be such as will permit of full compliance with the Robinson-Patman Act.

[2] As used in §§ 171.12 and 171.13 (Rules 12 and 13) and as defined in the Clayton Act, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States."

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Housing Expediter Priorities Reg. 4 as Amended January 27, 1947, Amdt. 3]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

CERTIFICATES AND DIRECTIVES FOR SURPLUS MATERIALS AND EQUIPMENT

Section 803.4, Housing Expediter Priorities Regulation 4, as amended Janu-

ary 27, 1947, is amended in the following respects:

1. Paragraph (o) (1) is amended to read as follows:

(1) *Valid for sixty days.* A Housing Expediter certificate shall be valid for sixty days after its date of issuance, and for an additional sixty days if it is renewed. Housing Expediter certificates which are due to expire during the period May 1 to June 30, 1947 inclusive shall remain in effect through June 30, 1947.

2. Paragraph (o) (5) is amended by deleting from the list contained therein the following items of equipment.

Batching plants.
Portable air compressors from 105 c. f. m. to 500 c. f. m. inclusive.
Rock crushers, 35 tons per hour or under.
Tractor type scrapers.
Wheel tractors 100 h. p. or over.

(60 Stat. 207; 50 U. S. C. App. Supp. 1821)

Issued this 28th day of May 1947.

OFFICE OF THE HOUSING EXPEDITER,
By JAMES V SARCONE,
Authorizing Officer

[F. R. Doc. 47-5218; Filed, May 28, 1947; 11:42 a. m.]

[Priorities Reg. 28, as amended May 9, 1947, Direction 26]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

USE OF MATERIALS AND EQUIPMENT OBTAINED WITH CC RATINGS

Correction

In Federal Register Document 47-5005, appearing on page 3397 of the issue for Tuesday, May 27, 1947, the introductory sentence should read: "The following direction is issued pursuant to Priorities Regulation 28:"

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5564]

PART 315—LICENSING UNDER THE FEDERAL FIREARMS ACT OF MANUFACTURERS OF, AND DEALERS IN, FIREARMS OR AMMUNITION

MISCELLANEOUS AMENDMENTS

MAY 23, 1947.

In order to give effect to the provisions of the act approved March 10, 1947 (Public Law 15, 80th Cong., 1st session) amending the Federal Firearms Act, as amended (52 Stat. 1250, 53 Stat. 1222; 15 U. S. C. 901-909) Treasury Decision 4398 approved May 1, 1939, as amended by Treasury Decision 4946, approved September 23, 1939 (26 CFR, Part 315) is further amended as follows:

PARAGRAPH 1. The statement at the beginning of § 315.0 is amended to read as follows:

§ 315.0 *Introductory.* The Federal Firearms Act approved June 30, 1938, as amended August 6, 1939, and March 10, 1947 (52 Stat. 1250, 53 Stat. 1222; 15 U. S. C. 901-909; Public Law 15, 80th Cong., 1st Sess.) provides:

PAR 2. The quotation in § 315.0 of section 1 (6) of the Federal Firearms Act is amended to read as follows:

(6) The term "crime of violence" means murder, manslaughter, rape, mayhem, kidnaping, robbery, burglary, housebreaking; assault with intent to kill, commit rape, or rob; assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year.

PAR. 3. There is inserted immediately preceding the last paragraph of § 315.0 the following:

Section 1 (8) of the Federal Firearms Act as above-quoted reflects the amendment made by the Act approved August 6, 1939 (53 Stat. 1222) and that amendment is effective as of August 6, 1939; and section 1 (6) of the Federal Firearms Act as above-quoted reflects the amendment made by the Act approved March 10, 1947 (Public Law 15, 80th Cong.) and that amendment is effective as of March 10, 1947.

Because the amendment made to the Federal Firearms Act by Public Law 15, 80th Congress, 1st Session, became effective on March 10, 1947, the date of enactment of such Public Law, it is found that it is impracticable to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

(Sec. 7, 52 Stat. 1252; 15 U. S. C. 907)

[SEAL] JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 47-5137; Filed, May 28, 1947; 9:01 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Sugar Rationing Administration, Department of Agriculture

[3d Rev. RO 3,[1] Amdt. 48]

PART 707—RATIONING OF SUGAR

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Third Revised Ration Order 3 is amended in the following respects:

1. Section 8.1 is amended to read as follows:

SEC. 8.1 *Delivery of sugar for carriage or storage without giving up evidences.* (a) Any person may deliver sugar to another person for carriage or storage only, without getting evidences.

The sugar may thereafter be delivered by such other person, without getting evidences, either to the person from whom the sugar was received, or to a person to whom the right to receive such sugar has been transferred under this order.

(b) Delivery may not be made under paragraph (a) without getting evidences: (1) Where such delivery is made to any person who is registered as a wholesaler, retailer, industrial user or institutional user, unless he is engaged at a place other than his registered establishment and accepts delivery in his capacity as a public carrier, general warehouseman or operator of general storage facilities; or

(2) Where there is a contract, arrangement, or understanding under which (whether or not conditioned on any contingency) such other person has or is to have any interest in such sugar beyond that of a carrier or warehouseman.

2. Section 8.2 is amended to read as follows:

SEC. 8.2 *Security interests in sugar may be created and released without giving up evidences.* (a) Any person may deliver sugar to another person for security purposes only, without giving up evidences.

The sugar may thereafter be released or returned to the person who originally delivered it for security purposes without the receipt or surrender of evidences.

(b) Delivery may not be made under paragraph (a) without getting evidences: (1) Where such delivery is made to any person who is registered as a wholesaler, retailer, industrial user or institutional user, unless he is engaged publicly at a place other than his registered establishment, in the business of lending money; or

(2) Where there is a contract, arrangement, or understanding under which (whether or not conditioned on any contingency) such other person has or is to have an interest in such sugar beyond that of a pledgee or mortgagee.

3. Section 25.1 (c) (8) is amended to read as follows:

(8) "Delivery" means the transfer of physical possession or the transfer of a document of title. Possession of sugar shall be deemed to be so transferred to another person:

(i) When the sugar comes into the physical possession or control of such person or his agent or representative.

(ii) When the sugar is placed in any plant, warehouse or other place owned or controlled directly or indirectly by such person; or

(iii) When particular sugar wherever located or an undivided interest in such sugar becomes the subject of any contract, arrangement or understanding under which (whether or not conditioned on any contingency) it is sold or is to be sold to such person or disposed of as such person may direct.

The use by any person of sugar which he produces or holds for sale or delivery is considered a delivery of sugar to himself.

This amendment shall become effective May 27, 1947.

Issued this 22d day of May 1947.

[SEAL] CLINTON P ANDERSON,
Secretary of Agriculture.

[1] 11 F. R. 177, 14281.

Rationale Accompanying Amendment No. 48 to Third Revised Ration Order 3

Sections 8.1 and 8.2 permit delivery of sugar without getting evidences where the sugar is delivered to another person for carriage, storage, or security purposes only. Under these provisions, a person who was registered as a wholesaler, retailer, industrial user or institutional user, was not permitted to obtain delivery without the surrender of ration evidences unless he was engaged publicly at a place other than his registered establishment as a carrier, general warehouseman or operator of general storage facilities, or engaged in the business of lending money.

In view of the fact that the termination of sugar rationing is now foreseeable, many questions are being raised as to whether or not it is permissible for a dealer in sugar or a user of sugar to take delivery of sugar in his registered establishment for storage, for his ultimate use or resale, without the surrender of ration evidences. Since numerous questions have arisen regarding this matter recently, it is deemed advisable to incorporate the interpretation of the provisions of sections 8.1 and 8.2 in the regulations for the purpose of clarity. In addition, in order to prevent indirect evasions of the purposes of these provisions, it is also provided that delivery to another person for "storage" or "security" may not be made without surrender of evidences, where there is a contract or arrangement under which such other person has or is to have any interest in the sugar beyond that of a carrier, warehouseman, pledgee, or mortgagee.

Further in the interest of clarification, the definition of "delivery" is revised to make it clear that delivery to a person takes place when sugar is placed in any plant or place owned or controlled by him, or when the sugar becomes the subject of a contract or arrangement under which it is to be sold to him or disposed of as he directs.

[F. R. Doc. 47-5190; Filed, May 27, 1947; 5:02 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

PART 162—LIST OF ORDERS CREATING AND MODIFYING GRAZING DISTRICTS

MONTANA GRAZING DISTRICT NO. 5

CROSS REFERENCE: For order affecting the tabulation contained in § 162.1, see Air-Navigation Site Withdrawal No. 236 under Department of the Interior, Bureau of Land Management, in the Notices section, *infra*, which takes precedence over, but does not modify, the order of the Acting Secretary of the Interior of November 3, 1936, establishing Montana Grazing District No. 5.

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Ch. IX]

[Docket No. AO-183]

HANDLING OF MILK IN PADUCAH, KY., MARKETING AREA

PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Cum. Supp., 900.1 et seq., 10 F. R. 11791, 11 F. R. 7737; 12 F. R. 1159), notice is hereby given of a public hearing to be held in Assembly Room, McCracken County Court House, Paducah, Kentucky, beginning at 10:00 a. m., c. s. t., June 16, 1947.

This public hearing is for the purpose of receiving evidence with respect to a proposed marketing agreement and order, regulating the handling of milk in the Paducah, Kentucky, marketing area, the provisions of which are hereinafter set forth, and any modification thereof. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposed marketing agreement and order and any modifications thereof. The provisions of the proposed marketing agreement and order, heretofore filed with the undersigned, are as follows:

Marketing Agreement and Order Proposed by the Paducah Graded Milk Producers Association, Paducah, Kentucky

SECTION 1. *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

(b) "Secretary" means the Secretary of Agriculture of the United States or such other officer or employee of the United States authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(c) "Paducah, Kentucky, marketing area," hereinafter called the "marketing area," means the territory within McCracken County.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether any such person is also a handler, who produces in conformity with or subject to the applicable health regulations, milk which is:

(1) Received at a plant from which milk or cream is disposed of in the marketing area for human consumption as fluid milk or fluid cream;

(2) Received at a plant approved by the appropriate health authority in the marketing area to furnish milk or cream to a plant described under subparagraph (1) of this paragraph;

(3) Diverted from any plant described under either subparagraphs (1) or (2) of this paragraph to any other milk distributing or milk manufacturing plant including any plant described under subparagraphs (1) or (2) of this paragraph: *Provided*, That any such milk so diverted shall be deemed to have been received at a plant from which it was diverted;

(4) Caused to be delivered by a cooperative association of producers as defined in section 10 (b) to any other milk distributing or milk manufacturing plant, wherever located.

(f) "Handler" means: (1) Any person who, on his own behalf or on behalf of others, receives milk from producers, associations of producers, or other handlers at a plant described in paragraphs (e) (1) or (e) (2) of this section; (2) any cooperative association of producers as defined in section 10 (b) with respect to milk diverted from a plant described under paragraphs (e) (1) or (e) (2) of this section to any milk distributing or milk manufacturing plant not operated by a handler, for the account of such association; (3) any cooperative association of producers as defined in section 10 (b) with respect to milk produced under appropriate health regulations applicable in the marketing area and caused to be diverted or delivered for the account of such association, to any other milk distributing or milk manufacturing plant, wherever located.

(g) "Market administrator" means the person designated pursuant to section 2 as the agency for the administration hereof.

(h) "Delivery period" means the calendar month, or the total portion thereof, during which the provisions herein are in effect.

(i) "Other source milk" means milk, skim milk, cream or any milk product received at a plant described in paragraph (e) of this section, from sources other than producers or other handlers. Other source milk shall include, but shall not be limited to milk, skim milk, cream or any milk product received at such plants, under an emergency permit in writing issued by the appropriate health authorities in the marketing area.

(j) "Department of Agriculture" means the United States Department of Agriculture, or such other Federal agency authorized to perform the price reporting function specified in section 5.

SEC. 2. *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator, selected by the Secretary,

who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall have the following powers with respect to this part:

(1) To administer its terms and provisions;

(2) To make rules and regulations to effectuate its terms and provisions;

(3) To receive, investigate, and report to the Secretary complaints of violations; and

(4) To recommend amendments to the Secretary.

(c) *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including, but not limited to, the following:

(1) Within 30 days following the date on which he enters upon his duties; or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(3) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(4) Pay, out of the funds provided by section 9:

(i) The cost of his bond and of the bonds of his employees;

(ii) His own compensation; and

(iii) All other expenses, except those incurred under section 10, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(5) Keep such books and records as will clearly reflect the transactions provided for herein, and upon request by the Secretary surrender the same to such other person as the Secretary may designate;

(6) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who within 5 days after the day upon which he is required to perform such acts, has not made reports and payments pursuant to this part;

(7) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(8) Upon request, supply on or before the 25th day after the end of each delivery period to each cooperative association, with respect to producers milk or any portion thereof for which the Association was not a handler during the delivery period and whose membership in such cooperative association has been verified by the market administrator, a record of the pounds of milk received by each handler from member producers and the class utilization of such milk. For the purpose of this report such member milk shall be prorated to each class in the proportions that the total receipts of milk from producers by such handler were classified in each class;

(9) Audit records of all handlers to verify the reports and payments required pursuant to the provisions of this part;

(10) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each delivery period as follows:

(i) On or before the 6th day after the end of such delivery period, the minimum class prices, pursuant to section 5, and butterfat differential pursuant to section 8.

(ii) On or before the 14th day after the end of such delivery period, the uniform prices computed pursuant to section 7; and

(11) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information.

SEC. 3. *Report of handlers*—(a) *Submission of reports.* Each handler shall report to the market administrator in the detail and on forms prescribed by the market administrator as follows:

(1) On or before the 6th day after the end of each delivery period:

(i) The receipts at each plant of milk and milk products, with butterfat tests, from all sources, including own production;

(ii) The utilization of all milk, and milk products, received, computed pursuant to section 4, including a separate statement of the disposition of Class I milk outside the marketing area;

(iii) The name and address of each producer from whom milk is received for the first time, and the date on which such milk was first received; and

(iv) The name and address of each producer who discontinues deliveries of milk and the date on which the milk of such producer was last received.

(2) Within 20 days after the end of each delivery period, his producer pay roll, which shall show for such delivery period and for each and every producer:

(i) His total delivery of milk with the average butterfat test thereof; and

(ii) The net amount of the payment made to him with the price, deductions, and charges involved.

(b) *Verification of reports and payments.* (1) The market administrator shall verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler upon whose disposition of milk and milk products such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and milk products and shall, during the usual hours of business, make available to the market administrator or his representative such records, reports and facilities as will enable the market administrator to:

(i) Verify the receipts and disposition of all milk, and milk products, required to be reported pursuant to this section, and, in case of errors, or omissions, ascertain the correct figures;

(ii) Weigh, sample and test for butterfat content the milk received from producers and any milk product upon which classification depends; and

(iii) Verify the payments to producers prescribed in section 8.

(2) If, in the verification of the reports of any handler made pursuant to paragraph (a) of this section, it is necessary for the market administrator to examine the records of milk and milk products handled in a plant of a handler from which no milk is disposed of in the marketing area, such handler shall make such records available to the market administrator. If, in the verification of the reports of any handler made pursuant to paragraph (a) of this section, the market administrator finds that, subsequent to the delivery period for which the verification is being made, any milk of producers received during such delivery period was used in a class other than that in which it was first disposed of, such milk shall be reclassified accordingly and the adjustments necessary to reflect the reclassified value of such milk shall be made in the billing computed for such handler for the delivery period following such reclassification.

SEC. 4. *Classification of milk*—(a) *Basis of classification.* The market administrator shall classify on the basis of the classes set forth in paragraph (b) of this section and subject to the conditions of paragraphs (c) (d) and (e), of this section, milk, skim milk, and cream from all sources received by a handler at a plant described under paragraphs (e) (1) and (e) (2) of section 1 and milk handled pursuant to paragraphs (e) (3), (f) (2) and (f) (3) of section 1. In establishing the classification as required in paragraph (b) of this section, the burden rests upon the handler who is the first receiver to account for all milk, skim milk, and cream received and to provide that such milk, skim milk, and cream has been utilized in a class other than in Class I.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk, skim milk, and cream disposed of in fluid form as milk, buttermilk, milk drinks (whether plain or flavored) and cream disposed of as fluid cream (including any cream product disposed of in fluid form which contains less than the minimum butterfat content required for fluid cream) and all milk, skim milk, and cream not specifically accounted for as Class II milk.

(2) Class II milk shall be all milk, skim milk, and cream accounted for:

(i) As used to produce a product other than those specified in Class I milk;

(ii) As actual plant shrinkage, but not to exceed 1 percent of the total receipts of milk from producers; and

(iii) As actual plant shrinkage of milk received from sources other than producers and handlers: *Provided,* That if milk from producers is utilized in conjunction with other source milk, the shrinkage allocated to the milk received from producers shall not exceed its pro rata share computed on the basis of the proportion of the volumes received from the various sources to their total.

(c) *Interhandler and nonhandler transfers.* (1) Milk, skim milk, and cream disposed of, either by transfer or diversion, by a handler to another handler or to a person who is not a handler but who distributes milk or manufactures milk products shall be Class I milk: *Provided,* That if a different classification is agreed upon in writing signed by both the transferring handler and receiver and submitted to the market administrator on or before the 6th day after the end of the delivery period, then such milk shall be classified accordingly subject to verification by the market administrator, *And provided, further* That in no event shall the amount allocated to any class be greater than the amount used in such class by the receiver; *And provided further* That the classification of any such transfer or diversion of milk, skim milk, or cream between handlers shall be subject to allocation for each handler in the sequence set forth in paragraph (g) of this section.

(2) Milk or skim milk moved in fluid form from a plant of a handler to a plant from which no milk, skim milk, or cream is disposed of for fluid consumption (regardless of whether the latter plant is operated by such handler or a nonhandler) shall be Class II milk. Milk, skim milk, or cream moved in fluid form from the plant of a handler to a nonhandler's plant from which fluid milk, skim milk, or cream is distributed shall be Class I milk, except that any of this milk, skim milk, or cream shall be classified as Class II milk if used or disposed of by such establishment in other than fluid form, provided such use or disposition is made subject to verification by the market administrator.

(d) *Computation of class volumes.* For each delivery period the market administrator shall correct for mathematical and for other obvious errors the report submitted by each handler and compute from the corrected report the amount of Class I milk and Class II milk as follows:

(1) Determine:

(i) The total pounds of milk received from producers (including the handler's own production), and

(ii) The total pounds of milk, skim milk, and other milk products received from other handlers and milk received from sources other than producers and other handlers as defined in section 1 (i), add together the resulting amounts.

(2) Determine the total pounds of butterfat received by multiplying by its respective average butterfat test the milk, skim milk, and other milk products determined under subparagraph (1) of this paragraph; add together the resulting amounts.

(3) Determine the total pounds of Class I milk as follows:

(i) Convert to quarts the quantity of milk and skim milk disposed of in fluid form as milk, buttermilk, and milk drinks, whether plain or flavored, and multiply by 2.15.

(ii) Multiply the result computed pursuant to subdivision (i) of this subparagraph by the average butterfat test thereof;

(iii) Multiply the actual weight of cream and cream products by their respective average butterfat tests;

(iv) Add together the resulting amounts computed pursuant to subdivision (iii) of this subparagraph;

(v) Divide the result obtained in subdivision (iii) of this subparagraph by 4 percent;

(vi) If the sum of the quantities of butterfat computed pursuant to subdivisions (ii) and (iv) of this subparagraph when added to the pounds of butterfat in Class II milk computed pursuant to subparagraph (4) (ii) of this paragraph is less than the total pounds of butterfat received, computed in accordance with subparagraph (2) of this paragraph, the butterfat shrinkage on milk from producers which exceeds 1 percent of such butterfat shall be divided by 4 percent;

(vii) Add together the resulting amounts computed pursuant to subdivisions (i) (v), and (vi) of this subparagraph.

(4) Determine the total pounds of Class II milk as follows:

(i) Compute the total pounds of butterfat used to produce a product other than those specified in Class I;

(ii) Add together the resulting amounts;

(iii) Subtract the total pounds of butterfat in Class I computed pursuant to subparagraphs (3) (ii) and (3) (iv) of this paragraph and the total pounds of butterfat computed pursuant to subdivision (ii) of this subparagraph, from the total pounds of butterfat computed pursuant to subparagraph (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purpose of this paragraph (but in no event shall such plant shrinkage allowance exceed 1 percent of the butterfat in milk received from producers, plus actual plant shrinkage of butterfat received from sources other than producers and handlers) and shall be added to the result obtained in subdivision (ii) of this subparagraph; and

(iv) Divide the result obtained in subdivision (iii) of this subparagraph by 4 percent.

(e) *Reconciliation of utilization of milk by classes with receipts from producers.* (1) If the total utilization in the two classes for any handler as computed pursuant to paragraph (d) of this section, is less than the actual receipts (not including excess pursuant to section 6 (b)) the market administrator shall increase the total pounds of Class II milk for such handler by an amount equal to the difference.

(2) If the total utilization in the various classes for any handlers, as computed pursuant to paragraph (d) of this section, is greater than the actual receipts (not including excess pursuant to section 6 (b)), the market administrator shall decrease the total pounds of Class II milk for each handler by an amount equal to the difference.

(f) *Classification of producer milk.* The market administrator shall determine the classification of milk received by each handler from producers as follows:

(1) Subtract from the total pounds of milk in each class the total pounds of milk, skim milk, and cream received from other handlers and allocated to such class pursuant to paragraph (c) of this section; (2) Subtract from the remaining pounds of milk in each class, in series beginning with the lower-priced Class II milk, the total pounds of other source milk.

SEC. 5. *Minimum prices.*—(a) *Class prices.* Subject to the provisions of section 8, each handler shall pay producers not less than the prices per hundredweight computed by the market administrator as follows:

(1) *Class I milk.* The price for Class I milk shall be the price computed under subparagraph (3) of this paragraph, plus the following amounts per hundredweight: $1.15 for the delivery periods of August, September, October, November, and December; $0.90 for the delivery periods July, January, February, and March; and $0.65 for the delivery periods of April, May, and June.

(2) *Class II milk.* The price for Class II milk shall be the price computed under subparagraph (3) of this paragraph.

(3) *Basic formula price.* The basic formula price to be used in determining the price for Class I and Class II milk pursuant to subparagraph (1) and (2) of this paragraph, shall be the price resulting from the following computation by the market administrator:

Determine, on the basis of milk of 4 percent butterfat content, the arithmetic average of the basic, or field, price per hundredweight reported by, and ascertained by the market administrator to have been paid by the following concerns at the manufacturing plants or places listed below for ungraded milk received during the delivery period:

Concern and Location

Pet Milk Company, Mayfield, Ky.
Ryan Milk Company, Murray, Ky.

Provided, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, then the higher of the following formula prices as computed under subdivisions (i) and (ii) of this subparagraph shall be used:

(i) (*a*) Multiply by 4.0 the average wholesale price per pound of 92-score butter in the Chicago market as reported by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform the price reporting function) for the delivery period during which such milk was received;

(*b*) Add 20 percent thereof; and

(*c*) Add 3½ cents per hundredweight for each full one-half cent that the price of nonfat dry milk solids by spray process for human consumption is above 5½ cents per pound. For the purpose of this formula the price per pound of nonfat dry milk solids to be used shall be the average of the carlot prices by spray process for human consumption, published by the Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this

price reporting function) for the Chicago market during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such milk solids for the previous delivery period. In the event the carlot prices for nonfat dry milk solids by spray process for human consumption, f. o. b. manufacturing plant, are not so published, the average of the carlot prices for such milk solids delivered at Chicago, as published by any such agency, shall be used, and the following shall be used in lieu of the computation provided under subdivision (c) Add 3½ cents per hundred weight for each full one-half cent that the price of such nonfat dry milk solids for human consumption, delivered at Chicago, is above 6½ cents per pound.

(ii) To the average of the basic (or field) prices reported to have been paid, or to be paid, for milk of 3.5 percent butterfat content received during the delivery period at the following places for which prices are reported to the market administrator by the companies listed below or by the agency described in subdivision (i) (*a*) of this subparagraph:

Companies and Locations

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mt. Pleasant, Wis.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

Add the higher of either of the amounts computed as follows:

(*a*) The butterfat differential determined pursuant to section (8) (f) multiplied by 5 or,

(*b*) The basic (or field) hundredweight prices paid for milk of 3.5 percent butterfat content received during the delivery period at the places listed in subdivision (ii) of this subparagraph divided by 35 and the result multiplied by 5.

(4) The prices used in determining the average manufacturing plant price pursuant to subparagraph (3) or (3) (ii) of this paragraph shall be those quoted for milk received at the respective plants, without deduction for hauling or other charges to be paid by the farm shipper.

(b) *Butterfat differential to handlers.* If any handler has received from producers milk containing more or less than 4 percent of butterfat, such handler shall add or deduct, per hundredweight of milk, for each one-tenth of 1 percent of butterfat above or below 4 percent an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter in the Chicago market, as reported by the agency described in paragraph (a) (3) (i) (*a*) of this section for the delivery period during which the milk was received, add 20 percent, and divide the result by 10.

(c) *Class volume reconciliation adjustment.* For the amount of milk involved in any reconciliation of class volume of milk, pursuant to section 4 (e) the handler shall be debited or credited, as the case may be, at the higher Class II price: *Provided,* That if such handler received from producers milk with an average test of butterfat of 4 percent or less and disposed of no milk, skim milk, or cream as a Class II milk product, such debit or credit, as the case may be, shall be made at the Class I price.

SEC. 6. *Application of provisions*—(a) *Handlers who are also producers.* No provisions hereof shall apply to a handler who is also a producer and who receives no milk from producers or an association of producers other than that of his own production, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request and shall permit the market administrator to verify such reports.

(b) *Payment for excess milk or butterfat.* In the event that a handler, after subtracting receipts from other handlers and receipts from sources determined as other than producers or handlers, has disposed of milk or butterfat, in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been received from them, such handler shall pay to producers, through the producer-settlement fund, the value of such milk or the milk equivalent of such butterfat in accordance with its utilization.

SEC. 7. *Determination of uniform prices to producers*—(a) *Computation of value for each handler* For each delivery period the market administrator shall compute the value of milk of producers received by each handler, by multiplying the quantity in each class by the price applicable to such class and by adding together the resulting class values.

(b) *Computation and announcement of uniform prices.* The market administrator shall compute and announce the uniform price per hundredweight of producer milk containing 4 percent of butterfat for each delivery period, as follows:

(1) Combine into one total the respective values computed pursuant to (a) of this section, for all handlers who made the report prescribed by section 3 (a) for such delivery period, except those in default of payments required pursuant to section 8 (c) for the preceding delivery period;

(2) Subtract, if the average butterfat content of all milk received from producers is in excess of 4 percent or add, if such average butterfat content is less than 4 percent, the total value of the butterfat differential applicable pursuant to section 8 (f),

(3) Subtract for each delivery period an amount representing 60 cents per hundredweight of milk received by handlers, whose milk values are included under subparagraph (1) of this paragraph, from producers who produced under a dairy farm permit or rating issued or publicly designated by the proper health authorities for the production of Grade A milk;

(4) Add an amount representing the cash balance in the producer-settlement fund;

(5) Divide the amount computed pursuant to subparagraph (4) of this paragraph by the total hundredweight of milk of producers;

(6) Subtract from the figure computed pursuant to subparagraph (5) of this paragraph not less than 4 cents nor more than 5 cents per hundredweight for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers.

SEC. 8. *Payment for milk*—(a) *Time and method of payment.* Each handler shall make payment for milk received from producers during each delivery period as follows:

(1) *Partial payment.* On or before the 25th day of each delivery period each handler shall make payment to each producer at not less than the applicable uniform price of the preceding delivery period for the milk of such producer which was received by such handler during the first 15 days of the current delivery period.

(2) *Final payment.* On or before the 15th day after the end of each delivery period each handler shall make payment, subject to the butterfat differential in paragraph (f) of this section and less the payment made pursuant to subparagraph (1) of this paragraph, to each producer for the milk of such producer received by such handler, an amount computed by multiplying the hundredweight of such milk by the price computed pursuant to section 7 (b) (6)

(3) *Premiums for graded milk.* With respect to milk received by a handler from producers who produced milk during such delivery period under a dairy farm permit or rating issued or publicly designated by the proper health authorities for the production of Grade A, each handler shall pay such producer 60 cents per hundredweight in addition to payments made pursuant to subparagraph (2) of this paragraph.

(b) *Producer-settlement fund.* The market administrator shall establish and maintain in a separate fund known as the producer-settlement fund into which he shall deposit all payments made by handlers pursuant to paragraphs (c) and (e) of this section, and out of which he shall make all payments pursuant to paragraphs (d) and (e) of this section: *Provided,* That payments due any handler shall be offset by payments due from such handler.

(c) *Payments to the producer-settlement fund.* On or before the 15th day after the end of each delivery period, each handler shall pay to the market administrator any amount by which the classification value of his milk, computed pursuant to section 7 (a), for the delivery period is greater than the payments made to producers for such delivery period pursuant to paragraph (a) of this section.

(d) *Payments out of the producer-settlement fund.* On or before the 20th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers any amount by which the classification value of his milk, computed pursuant to section 7 (a) for the delivery period is less than the payments made to producers for such delivery period, pursuant to paragraph (a) of this section. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

(e) *Adjustments of errors in payments.* Whenever verification by the market administrator of payments by any handler discloses errors made in payments to the producer-settlement fund pursuant to paragraph (c) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 15 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler, pursuant to paragraph (d) of this section the market administrator shall, within 15 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer for milk received by such handler discloses payment of less than is required by this section, the handler shall make up such payment not later than the time of making payment to producers next following such disclosure.

(f) *Butterfat differential.* In making payments to each producer pursuant to paragraph (a) of this section, each handler shall add to the uniform price not less than or subtract from the uniform price not more than, as the case may be, for each one-tenth of 1 percent of butterfat content above or below 4 percent in milk received from such producer, the amount as shown in the following schedule for the butter price range in which falls the average wholesale price per pound of 92-score butter in the Chicago market, as reported by the United States Department of Agriculture or other authorized federal agency, for the delivery period during which such milk was received:

Butter price range (cents)	*Butterfat differential (cents)*
17.499 or less	2
17.50–22.499	2½
22.50–27.499	3
27.50–32.499	3½
32.50–37.499	4
37.50–42.499	4½
42.50–47.499	5
47.50–52.499	5½
52.50–57.499	6
57.50–62.499	6½
62.50–67.499	7
67.50–72.499	7½
72.50–77.499	8
77.50–82.499	8½
82.50–87.499	9
87.50–92.499	9½
92.50 and over	10

SEC. 9. *Expense of administration.* As his pro rata share of the expense incurred pursuant to section 2 (c) (4) each handler shall pay the market administrator on or before the 20th day after the end of each delivery period, five cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe, to be announced by the market administrator on or before the 6th day after the end of such delivery period, with respect to all receipts within the delivery period, of milk from producers (including such handler's own production). Each cooperative association which is a handler shall pay such pro rata share of expense on only that milk of producers caused to be delivered by it to plants from which no milk is disposed of in the marketing area.

SEC. 10. *Marketing services*—(a) *Deductions for marketing services.* Except as set forth in paragraph (b) of this section, each handler, in making payments to producers pursuant to paragraph (a) of section 8, with respect to all milk received from each producer, shall deduct 5 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe, to be announced by the market administrator on or before the 6th day after the end of each delivery period; and, on or before the 20th day after the end of such delivery period, shall pay such deductions to the market administrator. Such moneys shall be expended by the market administrator to verify weights, samples, and tests of the milk of such producers and to provide such producers with market information; such services to be performed in whole or in part by the market administrator, or by an agent engaged by and responsible to him.

(b) *Cooperative associations.* In the case of producers for whom a cooperative association, which the Secretary determines to be qualified under the provisions of the act of Congress of September 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing, as determined by the Secretary, the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made directly to such producers pursuant to section 8, as are authorized by such producers, and, on or before the 20th day after the end of each delivery period, pay over such deductions to the association rendering such services.

SEC. 11. *Effective time.* The provisions hereof, or of any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

SEC. 12. *Suspension or termination*—(a) *When suspended or terminated.* The Secretary shall, whenever he finds that this part, or any provision thereof, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this part or any such provision thereof.

(b) *Continuing obligations.* If, upon the suspension or termination of any or all provisions of this part, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

(c) *Liquidation.* Upon the suspension or termination of the provisions hereof, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

SEC. 13. *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

SEC. 14. *Separability of provisions.* If any provision hereof, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions hereof, to other persons or circumstances shall not be affected thereby.

Dated: May 23, 1947.

NOTE: Copies of this notice of hearing may be procured from the Director, Dairy Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., or from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Room 0306, South Building, Washington 25, D. C., or may be there inspected.

E. A. MEYER,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 47-5071; Filed, May 28, 1947; 8:54 a. m.]

FEDERAL TRADE COMMISSION

[16 CFR, Ch. I]

[File No. 21-403]

DOLL AND STUFFED TOY INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 20th day of May A. D. 1947.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, organizations, or other parties, affected by or having an interest in the proposed trade practice rules for the Doll and Stuffed Toy Industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than June 19, 1947. Opportunity to be heard orally will be afforded at the hearing beginning at 10:00 a. m., June 19, 1947, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street, N. W., Washington, D. C., to any such persons, partnerships, corporations, organizations, or other parties who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 47-5004; Filed, May 28, 1947; 8:54 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR, Parts 230, 240, 250]

DISCLOSURES CONTRAVENING CODE OF WARTIME PRACTICES

PROPOSED REPEAL OF CERTAIN RULES

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to repeal § 230.171 (Rule 171) under the Securities Act of 1933, § 240.0-6 (Rule X-6) under the Securities Exchange Act of 1934, and § 250.105 (Rule U-105) under the Public Utility Holding Company Act of 1935, all of which relate to disclosures contravening the Code of Wartime Practices.

The foregoing action is proposed pursuant to the Securities Act of 1933, particularly section 19 (a) thereof, the Securities Exchange Act of 1934, particularly section 23 (a) thereof, and the Public Utility Holding Company Act of 1935, particularly section 20 (a) thereof. The rules proposed to be repealed no longer appear to serve any useful purpose. In this connection it should be noted that § 230.581 (Rule 581) under the Securities Act of 1933, relating to contracts affecting the national defense, is not proposed to be repealed.

It is contemplated that information which has been filed with the Commission under separate confidential cover pursuant to §§ 230.171, 240.0-6 and 250.105 (Rules 171, X-6, U-105) may be made available from time to time by the Commission to the extent permitted by the declassification program of the War and Navy Departments.

All interested persons may submit data, views, and comments in writing to the Securities and Exchange Commission at its main office, 18th and Locust Streets, Philadelphia, 3, Pennsylvania, on or before June 11, 1947.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

MAY 21, 1947.

[F. R. Doc. 47-5062; Filed, May 28, 1947; 8:47 a. m.]

NOTICES

TREASURY DEPARTMENT

Bureau of Customs

[T. D. 51682]

EASTPORT STEAMSHIP CORP.

REGISTRATION OF HOUSE FLAG AND FUNNEL MARK

MAY 23, 1947.

House flag and funnel mark of Eastport Steamship Corporation registered in accordance with § 3.81 (a) Customs Regulations of 1943.

The Commissioner of Customs, by virtue of the authority vested in him by section 7 of the act of May 28, 1908 (U. S. C., title 46, sec. 49) as modified by section 102, Reorganization Plan No. 3 of 1946 (11 F R. 7875) and in accordance with § 3.81 (a) of the Customs Regulations of 1943 (19 CFR 3.61 (a)) has registered the house flag and funnel mark of the Eastport Steamship Corporation described below:

(a) *House flag.* The house flag is rectangular in shap having a Prussian blue field with a white ball on which there is superimposed a Prussian blue letter "E." The hoist is 4 feet in height; the fly is 6 feet. The white ball in the center is approximately 3 feet in diameter. The initial letter "E" is 2½ feet in height, 1 foot in width, and has a stroke of 4 inches.

(b) *Funnel mark.* The funnel mark is to appear on a funnel of a dark yellow color which is 32 feet in height over all. The stack has a black band around the top which is 4 feet in width, including the collar on the stack, followed by a dark yellow band measuring 1 foot in width. The mark itself appears on each side of the stack centered in a fore-and-aft direction and consists of a white ball on a Prussian blue band on which there is superimposed a Prussian blue initial letter "E." The band on which that mark appears is 7 feet in width. The white ball is 5 feet in diameter. The initial letter "E" is 4 feet in heights, 2½ feet in width, and has a stroke of 5 inches.

Colored scale replica drawings of the house flag and of the funnel mark described above are on file with the Division of the Federal Register.

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

[F. R. Doc. 47-5136; Filed, May 28, 1947; 8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

MONTANA

AIR-NAVIGATION SITE WITHDRAWAL NO. 236

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (U. S. C., Title 49, sec. 214), it is ordered as follows:

Subject to valid existing rights, the following-described public land in Montana is hereby withdrawn from all forms of appropriation under the public land laws, and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 236.

PRINCIPAL MERIDIAN

T. 3 N., R. 9 W.,
Sec. 8, N½N½.

The area described contains 160 acres.

This order shall take precedence over, but shall not modify the order of the Acting Secretary of the Interior of November 3, 1936, establishing Montana Grazing District No. 5, so far as it affects the above-described land.

It is intended that the public land described herein shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

WARNER W GARDNER,
Assistant Secretary of the Interior

MAY 1, 1947.

[F. R. Doc. 47-5061; Filed, May 28, 1947; 8:47 a. m.]

Coal Mines Administration

[Order CMAN-17]

FORD COLLIERIES CO.

CHANGES IN TERMS AND CONDITIONS OF EMPLOYMENT OF SUPERVISORY EMPLOYEES

By agreement dated April 7, 1947, between the Coal Mines Administrator and the United Clerical, Technical and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America, and approved by the Secretary of the Interior and the President, United Mine Workers of America, certain changes in terms and

conditions of employment of certain supervisory employees of the Francis and Berry Mines of the Ford Collieries Company were agreed upon. Such changes in terms and conditions of employment were ordered by a Special Board, appointed by the Secretary of Labor pursuant to Executive Order No. 9809, pursuant to section 5 of the War Labor Disputes Act which order was approved by the President on May 17, 1947.

Now therefore, pursuant to section 5 of the War Labor Disputes Act and the order of said Board, the Operating Manager for the United States is hereby directed to place into effect the changes in terms and conditions of employment of supervisory employees at the Francis and Berry Mines of the Ford Collieries Company embodied and provided for in the said agreement of April 7, 1947.

Attached hereto and made a part hereof is a copy of said agreement of April 7, 1947.

The changes in terms and conditions of employment covered by this order shall be effective as of April 7, 1947.

This order shall be deemed to be a specific direction or order within the meaning of the terms and provisions of the Revised Regulations for the Operation of Coal Mines Under Government Control. (11 F R. 7567)

N. H. COLLISSON,
Captain, U. S. N. R.,
Coal Mines Administrator.

MAY 24, 1947.

AGREEMENT

This agreement between the Coal Mines Administrator under the authority of Executive Order No. 9728 (dated May 21, 1946, 11 F. R. 5593) and pursuant to the provision of section 11 of the Krug-Lewis Agreement of May 29, 1946, and the United Clerical, Technical, and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America, (hereinafter referred to as the Union) covers for the period of Government possession the terms and conditions of employment with respect to the Francis and Berry Mines of the Ford Collieries Company, Detroit, Michigan.

The term "supervisory employees" as used in this agreement, means only those supervisors of production and maintenance employees of the Francis and Berry Mines of the Ford Collieries Company, as defined and described in the Certification of Representatives and Order of the National Labor Relations Board, dated October 15, 1946, in Case No. 6-R-1213.

1. *Existing terms and conditions of employment preserved.* Except as amended and supplemented herein, this agreement carries forward and preserves the terms and conditions of employment for supervisory employees as they existed on May 22, 1946.

2. *Union recognition.* With respect to recognition of the Union as the sole and exclusive agency and representative of the supervisory employees, the Coal Mines Administrator will be guided by the decisions and procedure laid down by the National Labor Relations Board.

3. *Check off.* The Coal Mines Administrator will direct the operating manager that the Union dues of supervisory employees who are members of the Union, not exceeding Two Dollars ($2.00) per month, shall be checked off the wages of such supervisory employees (subject to the individual consent of such employees, the continuance of said consent being at the option of such employees but the option being exercisable only on one month's written notice to the management and the International Union) at a rate not to exceed One Dollar ($1.00) per pay period and shall be remitted to the Secretary-Treasurer of the United Clerical, Technical, and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America, not later than the first and sixteenth of each month and that no other assessments shall be so checked off except upon the written authorization of the International Executive Board of the United Mine Workers of America.

The Coal Mines Administrator will direct the operating manager that initiation fees of the Union, in sums not to exceed One Dollar ($1.00) per supervisory employee Union member in any one pay period, shall (subject to the individual consent of the supervisory employee) be deducted and remitted to the financial secretary of the local Union, in the same manner and subject to the same conditions as dues deductions. Under no circumstances shall the total initiation fee for any one man exceed Ten Dollars ($10.00).

4. *Discrimination and coercion.* The Coal Mines Administrator will use his good offices to the end that there shall be no discrimination, interference, restraint, or coercion directed by management or any of its agents against any supervisory employees because of Union membership or appropriate Union activities.

5. *Vacations.* Practice, as of the date of execution of this agreement, with respect to vacation pay of supervisory employees shall be continued in effect, except as such practice may be changed in accordance with section 17 of this agreement.

In accordance with and to the extent consistent with existing practice, vacations will, so far as practical, be granted at times most desired by the supervisory employees; *Provided,* That it does not interfere with the orderly operation of the mine.

6. *Seniority.* In accordance with and to the extent consistent with the practice now followed at each mine specified above, in all cases of promotion, demotion, increase or decrease of force, or lay-off, length of service and ability to perform the work shall be the determining factors.

Seniority shall be applied separately at each mine specified above.

Any supervisory employee, who (a) voluntarily leaves his employment, (b) fails to return to work without just cause within seven (7) days after notice to do so, or (c) is discharged for just cause, shall lose his seniority rights.

7. *Changes in classification of work.* In accordance with and to the extent consistent with existing practice, when a supervisory employee is required to fill the place of another employee receiving a higher rate of pay, he shall receive the higher rate of pay. Under no circumstances shall he receive a reduction in pay, when required temporarily to fill another job.

8. *Safety and health.* The Coal Mines Administrator will direct the operating manager to continue to make reasonable provisions for the safety and health of its supervisory employees and to operate the mines specified above in accordance with applicable mining laws of the state, the Federal Mine Safety Code, and other applicable safety rules.

9. *Supervisors' Mine Committee.* A supervisors' Mine Committee of three (3) members of each mine specified above shall be selected by the Union. Only supervisory employees may be members of this Committee and each member shall be eligible to serve as such only so long as he continues to be a supervisory employee. The functions of the Supervisors' Mine Committee are as described in section 10 of this agreement.

10. *Settlement of disputes.* Should differences arise between the Supervisory employees and the employer as to the meaning and application of the provisions of this agreement (including section 1 hereof), there shall be no suspension of or interference with work on account of such differences but an earnest effort shall be made to settle such differences immediately:

First. Between the aggrieved party and a representative of the Coal Mines Administrator.

Second. Through the Supervisors' Mine Committee and a representative of the Coal Mines Administrator.

Third. Through a representative of the Union and a representative of the Coal Mines Administrator.

Fourth. By a board consisting of four members, two of whom shall be designated by the Union and two by a representative of the Coal Mines Administrator.

Should the board fail to agree, the matter shall be referred to an arbitrator selected by the board. Should the board be unable to agree upon the selection of an arbitrator, he shall be designated by the International President of the Union and the Coal Mines Administrator or his representative.

In case either party shall request it prior to agreement upon a single arbitrator, a three man board of arbitration rather than a single arbitrator shall be constituted. This board shall consist of a chairman who shall be agreed upon in exactly the same manner as the single arbitrator above provided for, a representative chosen by the Union, and a representative chosen by the Coal Mines Administrator.

The arbitrator or the board of arbitration shall render in writing a decision which shall be final and conclusively binding upon the parties.

In the event that either party has requested arbitration by a three man board, the majority decision of such a board or, if a majority decision cannot be reached, the decision of the chairman shall be final and conclusively binding upon the parties.

11. *Discharge cases.* When a supervisory employee has been discharged from his employment and he believes that he has been unjustly dealt with, it shall be a case arising under the method of settling disputes provided in section 10 of this agreement. If, in any discharge case, it should be decided that an injustice has been dealt the supervisory employee, he shall be reinstated with or without back pay, in whole or in part; *Provided, however,* That any such case shall be taken up and disposed of within five (5) days from the date of discharge or as soon thereafter as possible.

12. *Wages.* Practice, as of the date of execution of this agreement, with respect to wages and hours of supervisory employees shall be continued in effect, except as such practice may be changed in accordance with section 17 of this agreement.

13. *Legal rights preserved.* (a) This agreement, directions of the Coal Mines Administrator hereunder, or compliance therewith by the management, shall in no sense be viewed as a waiver by the affected coal company or the Union of such rights as may be possessed by them including the right to a final judicial determination of the rights of supervisors under the National Labor Relations Act.

(b) The Union agrees that, in accordance with the procedure of the National Labor Relations Board, it will file as soon as practicable (but in no event later than 10 days after it receives a written notice from the Coal Mines Administrator to do so) a charge of refusal to bargain against Ford Collieries Company to the end that that company may have an opportunity to obtain a final judicial determination of the rights of supervisors at its mines under the National Labor Relations Act.

14. *Responsibilities of supervisory employees to management.* Supervisory employees shall at all times conduct themselves in a manner wholly consistent with the proper performance of the duties assigned to them. They shall not engage in any conduct which would directly or indirectly impair the lawful position of management in its relationship to any person or persons whose work is directed by management or any union which may represent such person or persons. The Union will use its best efforts to assure that the provisions of this section of the agreement are observed by the supervisory employees.

15. *Safety laws.* Nothing in this agreement shall be construed to modify existing obligations of the supervisory employees to conform to the requirements of applicable State or Federal safety laws or rules.

16. *Changes in law.* In the event that legislation, ultimate court decision, or action of the National Labor Relations Board nullifies or reverses the ruling of said Board in Case No. 6-R-1213, the Coal Mines Administrator reserves the right, on such notice as he may deem appropriate, to terminate this agreement. The Union reserves the same right.

In the event that legislation, ultimate court decision, or action of the National Labor Relations Board modifies the ruling of said Board in Case No. 6-R-1213, the Coal Mines Administrator and the Union agree that further discussion shall be had looking toward appropriate modification of this agreement. In the event that such modification is not agreed upon within what he may deem to be a reasonable time, the Coal Mines Administrator reserves the right to terminate this agreement on such notice as he may deem appropriate. The Union reserves the same right.

17. *General change in hours or wages or other monetary considerations of employment.* The parties to this agreement agree to meet in the city of Washington, D. C., within ten days of the date of execution of any agreement effecting a general change in the hours or wages or other monetary considerations of employment of rank and file employees in the mines specified above, for the purpose of negotiating a general change in the hours or wages or other monetary considerations of employment of supervisory employees.

Any change in the hours or wages or other monetary considerations of employment of supervisory employees, which is negotiated in accordance with the provisions of this section, shall be effective as of the effective date of the general change in the hours or wages or other monetary considerations of employment of rank and file employees which it is designed to accompany.

18. *Effective date.* This agreement is effective as of April 7, 1947 subject to the approval of appropriate Government agencies.

Signed at Washington, D. C., on the 7th day of April 1947.

N. H. COLLISSON,
Coal Mines Administrator.
JOHN McALPINE,
President, The United Clerical, Technical, and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America.

Approved:

J. A. KRUG,
Secretary of the Interior.
JOHN L. LEWIS,
President, United Mine Workers of America.

[F. R. Doc. 47-5090; Filed, May 28, 1947; 8:46 a. m.]

[Order CMAN-18]

BUCKEYE COAL CO.

CHANGES IN TERMS AND CONDITIONS OF EMPLOYMENT OF SUPERVISORY EMPLOYEES

By agreement dated April 26, 1947, between the Coal Mines Administrator and the United Clerical, Technical and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America, and approved by the Secretary of the Interior and the President, United Mine Workers of America, certain changes in terms and conditions of employment of certain supervisory employees of the Nemacolin Mine of the Buckeye Coal Company were agreed upon. Such changes in terms and conditions of employment were ordered by a Special Board, appointed by the Secretary of Labor pursuant to Executive Order No. 9809, pursuant to section 5 of the War Labor Disputes Act which order was approved by the President on May 17, 1947.

Now therefore, pursuant to section 5 of the War Labor Disputes Act and the order of said Board, the Operating Manager for the United States is hereby directed to place into effect the changes in terms and conditions of employment of supervisory employees at the Nemacolin Mine of the Buckeye Coal Company embodied and provided for in the said agreement of April 26, 1947.

Attached hereto and made a part hereof is a copy of said agreement of April 26, 1947.

The changes in terms and conditions of employment covered by this order shall be effective as of April 26, 1947.

This order shall be deemed to be a specific direction or order within the meaning of the terms and provisions of the Revised Regulations for the Operation of Coal Mines Under Government Control (11 F R. 7567)

N. H. COLLISSON,
Captain, U. S. N. R.,
Coal Mines Administrator

MAY 24, 1947.

AGREEMENT

This agreement between the Coal Mines Administrator under the authority of Executive Order No. 9728 (dated May 21, 1946, 11 F. R. 5593) and pursuant to the provision of section 11 of the Krug-Lewis Agreement of May 29, 1946, and the United Clerical, Technical, and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America (hereinafter referred to as the Union), covers for the period of Government possession the terms and conditions of employment with respect to the Nemacolin Mine of the Buckeye Coal Company, Youngstown, Ohio.

The term "supervisory employees" as used in this agreement, means only those supervisors of production and maintenance employees of the Nemacolin Mine of the Buckeye Coal Company, as defined and described in the Certification of Representatives and Order of the National Labor Relations Board, dated January 9, 1947, in Case No. 6-R-1496.

1. *Existing terms and conditions of employment preserved.* Except as amended and supplemented herein, this agreement carries forward and preserves the terms and conditions of employment for supervisory employees as they existed on May 22, 1946.

2. *Union recognition.* With respect to recognition of the Union as the sole and exclusive agency and representative of the supervisory employees, the Coal Mines Administrator will be guided by the decisions and procedure laid down by the National Labor Relations Board.

3. *Check off.* The Coal Mines Administrator will direct the Operating Manager that the Union dues of supervisory employees who are members of the Union, not exceeding Two Dollars ($2.00) per month, shall be checked off the wages of such supervisory employees (subject to the individual consent of such employees, the continuance of said consent being at the option of such employees but the option being exercisable only on one month's written notice to the management and the International Union) at a rate not to exceed One Dollar ($1.00) per pay period and shall be remitted to the Secretary-Treasurer of the United Clerical, Technical, and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America, not later than the first and sixteenth of each month and that no other assessments shall be so checked off except upon the written authorization of the International Executive Board of the United Mine Workers of America.

The Coal Mines Administrator will direct the operating manager that initiation fees of the Union, in sums not to exceed One Dollar ($1.00) per supervisory employee Union member in any one pay period, shall (subject to the individual consent of the supervisory employee) be deducted and remitted to the financial secretary of the local Union, in the same manner and subject to the same conditions as dues deductions. Under no circumstances shall the total initiation fee for any one man exceed Ten Dollars ($10.00).

4. *Discrimination and coercion.* The Coal Mines Administrator will use his good offices to the end that there shall be no discrimination, interference, restraint, or coercion directed by management or any of its agents against any supervisory employee because of Union membership or appropriate Union activities.

5. *Vacations.* Practice, as of the date of execution of this agreement, with respect to vacation pay of supervisory employees shall be continued in effect, except as such practice may be changed in accordance with section 17 of this agreement.

In accordance with and to the extent consistent with existing practice, vacations will, so far as practical, be granted at times most desired by the supervisory employees, *Provided,* That it does not interfere with the orderly operation of the mine.

6. *Seniority.* In accordance with and to the extent consistent with the practice now followed at the mine specified above, in all cases of promotion, demotion, increase or decrease of force, or lay-off, length of service and ability to perform the work shall be the determining factors.

Any supervisory employee, who (a) voluntarily leaves his employment, (b) fails to return to work without just cause within seven (7) days after notice to do so, or (c) is discharged for just cause, shall lose his seniority rights.

7. *Changes in classification of work.* In accordance with and to the extent consistent with existing practice, when a supervisory employee is required to fill the place of another employee receiving a higher rate of pay, he shall receive the higher rate of pay. Under no circumstances shall he receive a reduction in pay, when required temporarily to fill another job.

8. *Safety and health.* The Coal Mines Administrator will direct the operating manager to continue to make reasonable provisions for the safety and health of the supervisory employees and to operate the mine specified above in accordance with applicable mining laws of the state, the Federal Mine Safety Code, and other applicable safety rules.

9. *Supervisors' Mine Committee.* A Supervisors' Mine Committee of three (3) members

at the mine specified above shall be selected by the Union. Only supervisory employees may be members of this Committee and each member shall be eligible to serve as such only so long as he continues to be a supervisory employee. The functions of the Supervisors' Mine Committee are as described in section 10 of this agreement.

10. *Settlement of disputes.* Should differences arise between the supervisory employees and the employer as to the meaning and application of the provisions of this agreement (including section 1 hereof), there shall be no suspension of or interference with work on account of such differences but an earnest effort shall be made to settle such differences immediately·

First. Between the aggrieved party and a representative of the Coal Mines Administrator.

Second. Through the Supervisors' Mine Committee and a representative of the Coal Mines Administrator.

Third. Through a representative of the Union and a representative of the Coal Mines Administrator.

Fourth. By a board consisting of four members, two of whom shall be designated by the Union and two by a representative of the Coal Mines Administrator.

Should the board fail to agree, the matter shall be referred to an arbitrator selected by the board. Should the board be unable to agree upon the selection of an arbitrator, he shall be designated by the International President of the Union and the Coal Mines Administrator or his representative.

In case either party shall request it prior to agreement upon a single arbitrator, a three man board of arbitration rather than a single arbitrator shall be constituted. This board shall consist of a chairman who shall be agreed upon in exactly the same manner as the single arbitrator above provided for, a representative chosen by the Union, and a representative chosen by the Coal Mines Administrator.

The arbitrator or the board of arbitration shall render in writing a decision which shall be final and conclusively binding upon the parties.

In the event that either party has requested arbitration by a three man board, the majority decision of such a board or, if a majority decision cannot be reached, the decision of the chairman shall be final and conclusively binding upon the parties.

11. *Discharge cases.* When a supervisory employee has been discharged from his employment and he believes that he has been unjustly dealt with, it shall be a case arising under the method of settling disputes provided in section 10 of this agreement. If, in any discharge case, it should be decided that an injustice has been dealt the supervisory employee, he shall be reinstated with or without back pay, in whole or in part: *Provided, however,* That any such case shall be taken up and disposed of within five (5) days from the date of discharge or as soon thereafter as possible.

12. *Wages.* Practice, as of the date of execution of this agreement, with respect to wages and hours of supervisory employees shall be continued in effect, except as such practice may be changed in accordance with section 17 of this agreement.

13. *Legal rights preserved.* (a) This agreement, directions of the Coal Mines Administrator hereunder, or compliance therewith by the management, shall in no sense be viewed as a waiver by the affected coal company or the Union of such rights as may be possessed by them including the right to a final judicial determination of the rights of supervisors under the National Labor Relations Act.

(b) The Union agrees that, in accordance with the procedure of the National Labor Relations Board, it will file as soon as practicable (but in no event later than 10 days after it receives a written notice from the Coal Mines Administrator to do so) a charge of refusal to bargain against Buckeye Coal Company to the end that that company may have an opportunity to obtain a final judicial determination of the rights of supervisors at its mine under the National Labor Relations Act.

14. *Responsibilities of supervisory employees to management.* Supervisory employees shall at all times conduct themselves in a manner wholly consistent with the proper performance of the duties assigned to them. They shall not engage in any conduct which would directly or indirectly impair the lawful position of management in its relationship to any person or persons whose work is directed by management or any union which may represent such person or persons. The Union will use its best efforts to assure that the provisions of this section of the agreement are observed by the supervisory employees.

15. *Safety laws.* Nothing in this agreement shall be construed to modify existing obligations of the supervisory employees to conform to the requirements of applicable state or Federal safety laws or rules.

16. *Changes in law.* In the event that legislation, ultimate court decision, or action of the National Labor Relations Board nullifies or reverses the ruling of said Board in Case No. 6-R-1496, the Coal Mines Administrator reserves the right, on such notice as he may deem appropriate, to terminate this agreement. The Union reserves the same right.

In the event that legislation, ultimate court decision, or action of the National Labor Relations Board modifies the ruling of said Board in Case No. 6-R-1496, the Coal Mines Administrator and the Union agree that further discussion shall be had looking toward appropriate modification of this agreement. In the event that such modification is not agreed upon within what he may deem to be a reasonable time, the Coal Mines Administration reserves the right to terminate this agreement on such notice as he may deem appropriate. The Union reserves the same right.

17. *General change in hours or wages or other monetary considerations of employment.* The parties to this agreement agree to meet in the city of Washington, D. C., within ten days of the date of execution of any agreement effecting a general change in the hours or wages or other monetary considerations of employment of rank and file employees in the mine specified above, for the purpose of negotiating a general change in the hours or wages or other monetary considerations of employment of supervisory employees.

Any change in the hours or wages or other monetary considerations of employment of supervisory employees, which is negotiated in accordance with the provisions of this section, shall be effective as of the effective date of the general change in the hours or wages or other monetary considerations of employment of rank and file employees which it is designed to accompany.·

18. *Effective date.* This agreement is effective as of April 26, 1947 subject to the approval of appropriate Government agencies.

Signed at Washington, D. C., on the 26th day of April 1947.

N. H. COLLISSON,
Coal Mines Administrator.
JOHN MCALPINE,
President, The United Clerical, Technical, and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America.

Approved:

J. A. KRUG,
Secretary of the Interior.
JOHN L. LEWIS,
President, United Mine Workers of America.

[F. R. Doc. 47-5091; Filed, May 28, 1947; 8:46 a. m.]

[Order CMAN-19]

WENDEL COAL CO.

CHANGES IN TERMS AND CONDITIONS OF EMPLOYMENT OF SUPERVISORY EMPLOYEES

By agreement dated April 26, 1947, between the Coal Mines Administrator and the United Clerical, Technical and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America, and approved by the Secretary of the Interior and the President, United Mine Workers of America, certain changes in terms and conditions of employment of certain supervisory employees of the No. 1 and No. 2 Mines of the Wendel Coal Company were agreed upon. Such changes in terms and conditions of employment were ordered by a Special Board, appointed by the Secretary of Labor pursuant to Executive Order No. 9809, pursuant to section 5 of the War Labor Disputes Act which order was approved by the President on May 17, 1947.

Now therefore, pursuant to section 5 of the War Labor Disputes Act and the order of said Board, the Operating Manager for the United States is hereby directed to place into effect the changes in terms and conditions of employment of supervisory employees at the No. 1 and No. 2 Mines of the Wendel Coal Company embodied and provided for in the said agreement of April 26, 1947.

Attached hereto and made a part hereof is a copy of said agreement of April 26, 1947.

The changes in terms and conditions of employment covered by this order shall be effective as of April 26, 1947.

This order shall be deemed to be a specific direction or order within the meaning of the terms and provisions of the Revised Regulations for the Operation of Coal Mines Under Government Control. (11 F. R. 7567)

N. H. COLLISSON,
Captain, U. S. N. R.,
Coal Mines Administrator.

MAY 24, 1947.

AGREEMENT

This agreement between the Coal Mines Administrator under the authority of Executive Order No. 9723 (dated May 21, 1946, 11 F. R. 5593) and pursuant to the provision of section 11 of the Krug-Lewis Agreement of May 29, 1946, and the United Clerical, Technical, and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America (hereinafter referred to as the Union), covers for the period of Government possession the terms and conditions of employment with respect to the No. 1 and No. 2 Mines of the Wendel Coal Company, Wendel, West Virginia.

The term "supervisory employees" as used in this agreement, means only those supervisors of production and maintenance employees of the No. 1 and No. 2 Mines of the Wendel Coal Company, as referred to in the finding and determination in the Report On Cross Check of the National Labor Relations Board, dated October 24, 1946 in Case No. 6-R-1693.

1. *Existing terms and conditions of employment preserved.* Except as amended and supplemented herein, this agreement carries forward and preserves the terms and conditions of employment for supervisory employees as they existed on May 22, 1946.

2. *Union recognition.* With respect to recognition of the Union as the sole and

exclusive agency and representative of the supervisory employees, the Coal Mines Administrator will be guided by the decisions and procedure laid down by the National Labor Relations Board.

3. *Check off.* The Coal Mines Administrator will direct the operating manager that the Union dues of supervisory employees who are members of the Union, not exceeding Two Dollars ($2.00) per month, shall be checked off the wages of such supervisory employees (subject to the individual consent of such employees, the continuance of said consent being at the option of such employees but the option being exercisable only on one month's written notice to the management and the International Union) at a rate not to exceed One Dollar ($1.00) per pay period and shall be remitted to the Secretary-Treasurer of the United Clerical, Technical and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America, not later than the first and sixteenth of each month and that no other assessments shall be so checked off except upon the written authorization of the International Executive Board of the United Mine Workers of America.

The Coal Mines Administrator will direct the operating manager that initiation fees of the Union, in sums not to exceed One Dollar ($1.00) per supervisory employee Union member in any one pay period, shall (subject to the individual consent of the supervisory employee) be deducted and remitted to the financial secretary of the local Union, in the same manner and subject to the same conditions as dues deductions. Under no circumstances shall the total initiation fee for any one man exceed Ten Dollars ($10.00).

4. *Discrimination and coercion.* The Coal Mines Administrator will use his good offices to the end that there shall be no discrimination, interference, restraint, or coercion directed by management or any of its agents against any supervisory employees because of Union membership or appropriate Union activities.

5. *Vacations.* Practice, as of the date of execution of this agreement, with respect to vacation pay of supervisory employees shall be continued in effect, except as such practice may be changed in accordance with section 17 of this agreement.

In accordance with and to the extent consistent with existing practice, vacations will, so far as practical, be granted at times most desired by the supervisory employees, *Provided,* That it does not interfere with the orderly operation of the mine.

6. *Senority.* In accordance with and to the extent consistent with the practice now followed at each mine specified above, in all cases of promotion, demotion, increase or decrease of force, or lay-off, length of service and ability to perform the work shall be the determining factors.

Seniority shall be applied separately at each mine specified above.

Any supervisory employee, who (a) voluntarily leaves his employment, (b) fails to return to work without just cause within seven (7) days after notice to do so, or (c) is discharged for just cause, shall lose his seniority rights.

7. *Changes in classification of work.* In accordance with and to the extent consistent with existing practice, when a supervisory employee is required to fill the place of another employee receiving a higher rate of pay, he shall receive the higher rate of pay. Under no circumstances shall he receive a reduction in pay, when required temporarily to fill another job.

8. *Safety and health.* The Coal Mines Administrator will direct the operating manager to continue to make reasonable provisions for the safety and health of the supervisory employees and to operate the mines specified above in accordance with applicable mining laws of the state, the Federal Mine Safety Code, and other applicable safety rules.

9. *Supervisors' Mine Committee.* A Supervisors' Mine Committee of three (3) members at each mine specified above shall be selected by the Union. Only supervisory employees may be members of this Committee and each member shall be eligible to serve as such only so long as he continues to be a supervisory employee. The functions of the Supervisors' Mine Committee are as described in section 10 of this agreement.

10. *Settlement of disputes.* Should differences arise between the supervisory employees and the employer as to the meaning and application of the provisions of this agreement (including section 1 hereof), there shall be no suspension of or interference with work on account of such differences but an earnest effort shall be made to settle such differences immediately:

First. Between the aggrieved party and a representative of the Coal Mines Administrator.

Second. Through the Supervisors' Mine Committee and a representative of the Coal Mines Administrator.

Third. Through a representative of the Union and a representative of the Coal Mines Administrator.

Fourth. By a board consisting of four members, two of whom shall be designated by the Union and two by a representative of the Coal Mines Administrator.

Should the board fail to agree, the matter shall be referred to an arbitrator selected by the board. Should the board be unable to agree upon the selection of an arbitrator, he shall be designated by the International President of the Union and the Coal Mines Administrator or his representative.

In case either party shall request it prior to agreement upon a single arbitrator, a three man board of arbitration rather than a single arbitrator shall be constituted. This board shall consist of a chairman who shall be agreed upon in exactly the same manner as the single arbitrator above provided for, a representative chosen by the Union, and a representative chosen by the Coal Mines Administrator.

The arbitrator or the board of arbitration shall render in writing a decision which shall be final and conclusively binding upon the parties.

In the event that either party has requested arbitration by a three man board, the majority decision of such a board or, if a majority decision cannot be reached, the decision of the chairman shall be final and conclusively binding upon the parties.

11. *Discharge cases.* When a supervisory employee has been discharged from his employment and he believes that he has been unjustly dealt with, it shall be a case arising under the method of settling disputes provided in section 10 of this agreement. If, in any discharge case, it should be decided that an injustice has been dealt the supervisory employee, he shall be reinstated with or without back pay, in whole or in part; *Provided, however,* That any such case shall be taken up and disposed of within five (5) days from the date of discharge or as soon thereafter as possible.

12. *Wages.* Practice, as of the date of execution of this agreement, with respect to wages and hours of supervisory employees shall be continued in effect, except as such practice may be changed in accordance with Section 17 of this agreement.

13. *Legal rights preserved.* (a) This agreement, directions of the Coal Mines Administrator hereinunder, or compliance therewith by the management, shall in no sense be viewed as a waiver by the affected coal company or the Union of such rights as may be possessed by them including the right to a final judicial determination of the rights of supervisors under the National Labor Relations Act.

(b) The Union agrees that, in accordance with the procedure of the National Labor Relations Board, it will file as soon as practicable (but in no event later than 10 days after it receives a written notice from the Coal Mines Administrator to do so a charge of refusal to bargain against Wendel Coal Company to the end that that company may have an opportunity to obtain a final judicial determination of the rights of supervisors at its mines under the National Labor Relations Act.

14. *Responsibilities of supervisory employees to management.* Supervisory employees shall at all times conduct themselves in a manner wholly consistent with the proper performance of the duties assigned to them. They shall not engage in any conduct which would directly or indirectly impair the lawful position of management in its relationship to any person or persons whose work is directed by management or any union which may represent such person or persons. The Union will use its best efforts to assure that the provisions of this section of the agreement are observed by the supervisory employees.

15. *Safety laws.* Nothing in this agreement shall be construed to modify existing obligations of the supervisory employees to conform to the requirements of applicable state or Federal safety laws or rules.

16. *Changes in law.* In the event that legislation, ultimate court decision, or action of the National Labor Relations Board nullifies or reverses the finding and determination of said Board in Case No. 6-R-1598, the Coal Mines Administrator reserves the right, on such notice as he may deem appropriate, to terminate this agreement. The Union reserves the same right.

In the event that legislation, ultimate court decision, or action of the National Labor Relations Board modifies the finding and determination of said Board in Case No. 6-R-1598, the Coal Mines Administrator and the Union agree that further discussion shall be had looking toward appropriate modification of this agreement. In the event that such modification is not agreed upon within what he may deem to be a reasonable time, the Coal Mines Administrator reserves the right to terminate this agreement on such notice as he may deem appropriate. The Union reserves the same right.

17. *General change in hours or wages or other monetary considerations of employment.* The parties to this agreement agree to meet in the city of Washington, D. C., within ten days of the date of execution of any agreement effecting a general change in the hours or wages or other monetary considerations of employment of rank and file employees in the mines specified above, for the purpose of negotiating a general change in the hours or wages or other monetary considerations of employment of supervisory employees.

Any change in the hours or wages or other monetary considerations of employment of supervisory employees, which is negotiated in accordance with the provisions of this section, shall be effective as of the effective date of the general change in the hours or wages or other monetary considerations of employment of rank and file employees which it is designed to accompany.

18. *Effective date.* This agreement is effective as of April 26, 1947 subject to the approval of appropriate Government agencies.

Signed at Washington, D. C., on the 26th day of April 1947.

N. H. COLLISSON,
Coal Mines Administrator.
JOHN McALPINE,
President, The United Clerical, Technical, and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America.

Approved.

J. A. KRUG,
Secretary of the Interior.
JOHN L. LEWIS,
President, United Mine Workers of America.

[F. R. Doc. 47-5092; Filed, May 28, 1947; 8:46 a. m.]

[Order CMAN-20]

PENNSYLVANIA COAL AND COKE CORP.

CHANGES IN TERMS AND CONDITIONS OF EMPLOYMENT OF SUPERVISORY EMPLOYEES

By agreement dated April 26, 1947, between the Coal Mines Administrator and the United Clerical, Technical and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America, and approved by the Secretary of the Interior and the President, United Mine Workers of America, certain changes in terms and conditions of employment of certain supervisory employees of the Ehrenfeld No. 3, Ehrenfeld No. 8 and Marsteller No. 22 Mines of the Pennsylvania Coal and Coke Corporation were agreed upon. Such changes in terms and conditions of employment were ordered by a Special Board, appointed by the Secretary of Labor pursuant to Executive Order No. 9809, pursuant to section 5 of the War Labor Disputes Act which order was approved by the President on May 17, 1947.

Now therefore, pursuant to section 5 of the War Labor Disputes Act and the order of said Board, the Operating Manager for the United States is hereby directed to place into effect the changes in terms and conditions of employment of supervisory employees at the Ehrenfeld No. 3, Ehrenfeld No. 8, and Marsteller No. 22 Mines of the Pennsylvania Coal and Coke Corporation embodied and provided for in the said Agreement of April 26, 1947.

Attached hereto and made a part hereof is a copy of said agreement of April 26, 1947.

The changes in terms and conditions of employment covered by this order shall be effective as of April 26, 1947.

This order shall be deemed to be a specific direction or order within the meaning of the terms and provisions of the Revised Regulations for the Operation of Coal Mines Under Government Control. (11 F. R. 7567)

N. H. COLLISSON,
Captain, U. S. N. R.,
Coal Mines Administrator.

MAY 24, 1947.

AGREEMENT

This agreement between the Coal Mines Administrator under the authority of Executive Order No. 9728 (dated May 21, 1946, 11 F. R. 5593) and pursuant to the provision of section 11 of the Krug-Lewis Agreement of May 29, 1946, and the United Clerical, Technical, and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America (hereinafter referred to as the Union), covers for the period of Government possession the terms and conditions of employment with respect to the Ehrenfeld No. 3, Ehrenfeld No. 8, and Marsteller No. 22 Mines of the Pennsylvania Coal and Coke Corporation, New York, New York.

The term "supervisory employees," as used in this agreement, means only those supervisors of production and maintenance employees of the Ehrenfeld No. 3, Ehrenfeld No. 8, and Marsteller No. 22 Mines of the Pennsylvania Coal and Coke Corporation, New York, New York, as defined and described in the Certification of Representatives and Order of the National Labor Relations Board, dated October 15, 1946, in Case No. C-R-1211.

1. *Existing terms and conditions of employment preserved.* Except as amended and supplemented herein, this agreement carries forward and preserves the terms and conditions of employment for supervisory employees as they existed on May 22, 1946.

2. *Union recognition.* With respect to recognition of the Union as the sole and exclusive agency and representative of the Supervisory employees, the Coal Mines Administrator will be guided by the decisions and procedure laid down by the National Labor Relations Board.

3. *Check off.* The Coal Mines Administrator will direct the operating manager that the Union dues of supervisory employees who are members of the Union, not exceeding Two Dollars ($2.00) per month, shall be checked off the wages of such supervisory employees (subject to the individual consent of such employees, the continuance of said consent being at the option of such employees but the option being exercisable only on one month's written notice to the management and the International Union) at a rate not to exceed One Dollar ($1.00) per pay period and shall be remitted to the Secretary-Treasurer of the United Clerical, Technical, and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America, not later than the first and sixteenth of each month and that no other assessments shall be so checked off except upon the written authorization of the International Executive Board of the United Mine Workers of America.

The Coal Mines Administrator will direct the operating manager that initiation fees of the Union, in sums not to exceed One Dollar ($1.00) per supervisory employee Union member in any one pay period, shall (subject to the individual consent of the supervisory employee) be deducted and remitted to the financial secretary of the local Union, in the same manner and subject to the same conditions as dues deductions. Under no circumstances shall the total initiation fee for any one man exceed Ten Dollars ($10.00).

4. *Discrimination and coercion.* The Coal Mines Administrator will use his good offices to the end that there shall be no discrimination, interference, restraint, or coercion directed by management or any of its agents against any supervisory employees because of Union membership or appropriate Union activities.

5. *Vacations.* Practice, as of the date of execution of this agreement, with respect to vacation pay of supervisory employees shall be continued in effect, except as such practice may be changed in accordance with section 17 of this agreement.

In accordance with and to the extent consistent with existing practice, vacations will, so far as practical, be granted at times most desired by the supervisory employees, *Provided*, That it does not interfere with the orderly operation of the mines.

6. *Seniority.* In accordance with and to the extent consistent with the practice now followed at each mine specified above, in all cases of promotion, demotion, increase or decrease of force, or lay-off, length of service and ability to perform the work shall be the determining factors.

Seniority shall be applied separately at each mine specified above.

Any supervisory employee, who (a) voluntarily leaves his employment, (b) fails to return to work without just cause within seven (7) days after notice to do so, or (c) is discharged for just cause, shall lose his seniority rights.

7. *Changes in classification of work.* In accordance with and to the extent consistent with existing practice, when a supervisory employee is required to fill the place of another employee receiving a higher rate of pay, he shall receive the higher rate of pay. Under no circumstances shall he receive a reduction in pay, when required temporarily to fill another job.

8. *Safety and health.* The Coal Mines Administrator will direct the operating manager to continue to make reasonable provisions for the safety and health of the supervisory employees and to operate the mines specified above in accordance with applicable mining laws of the state, the Federal Mine Safety Code, and other applicable safety rules.

9. *Supervisors' mine committee.* A Supervisors' Mine Committee of three (3) members at each mine specified above shall be selected by the Union. Only supervisory employees may be members of this Committee and each member shall be eligible to serve as such only so long as he continues to be a supervisory employee. The functions of the Supervisors' Mine Committee are as described in section 10 of this agreement.

10. *Settlement of disputes.* Should differences arise between the supervisory employees and the employer as to the meaning and application of the provisions of this agreement (including section 1 hereof), there shall be no suspension of or interference with work on account of such differences but an earnest effort shall be made to settle such differences immediately:

First. Between the aggrieved party and a representative of the Coal Mines Administrator.

Second. Through the Supervisors' Mine Committee and a representative of the Coal Mines Administrator.

Third. Through a representative of the Union and a representative of the Coal Mines Administrator.

Fourth. By a board consisting of four members, two of whom shall be designated by the Union and two by a representative of the Coal Mines Administrator.

Should the board fail to agree, the matter shall be referred to an arbitrator selected by the board. Should the board be unable to agree upon the selection of an arbitrator, he shall be designated by the International President of the Union and the Coal Mines Administrator or his representative.

In case either party shall request it prior to agreement upon a single arbitrator, a three man board of arbitration rather than a single arbitrator shall be constituted. This board shall consist of a chairman who shall be agreed upon in exactly the same manner as the single arbitrator above provided for, a representative chosen by the Union, and a representative chosen by the Coal Mines Administrator.

The arbitrator or the board of arbitration shall render in writing a decision which shall be final and conclusively binding upon the parties.

In the event that either party has requested arbitration by a three man board,

the majority decision of such a board or, if a majority decision cannot be reached, the decision of the chairman shall be final and conclusively binding upon the parties.

11. *Discharge cases.* When a supervisory employee has been discharged from his employment and he believes that he has been unjustly dealt with, it shall be a case arising under the method of settling disputes provided in Section 10 of this agreement. If, in any discharge case, it should be decided that an injustice has been dealt the supervisory employee, he shall be reinstated with or without back pay, in whole or in part, *Provided, however* That any such case shall be taken up and disposed of within five (5) days from the date of discharge or as soon thereafter as possible.

12. *Wages.* Practice, as of the date of execution of this agreement, with respect to wages and hours of supervisory employees shall be continued in effect, except as such practice may be changed in accordance with section 17 of this agreement.

13. *Legal rights preserved.* (a) This agreement, directions of the Coal Mines Administrator hereunder, or compliance therewith by the management, shall in no sense be viewed as a waiver by the affected coal company or the Union of such rights as may be possessed by them including the right to a final judicial determination of the rights of supervisors under the National Labor Relations Act.

(b) The Union agrees that, in accordance with the procedure of the National Labor Relations Board, it will file as soon as practicable (but in no event later than 10 days after it receives a written notice from the Coal Mines Administrator to do so) a charge of refusal to bargain against Pennsylvania Coal and Coke Corporation to the end that that company may have an opportunity to obtain a final judicial determination of the rights of supervisors at its mines under the National Labor Relations Act.

14. *Responsibilities of supervisory employees to management.* Supervisory employees shall at all times conduct themselves in a manner wholly consistent with the proper performance of the duties assigned to them. They shall not engage in any conduct which would directly or indirectly impair the lawful position of management in its relationship to any person or persons whose work is directed by management or any union which may represent such person or persons. The Union will use its best efforts to assure that the provisions of this section of the agreement are observed by the supervisory employees.

15. *Safety laws.* Nothing in this agreement shall be construed to modify existing obligations of the supervisory employees to conform to the requirements of applicable state or Federal safety laws or rules.

16. *Changes in law.* In the event that legislation, ultimate court decision, or action of the National Labor Relations Board nullifies or reverses the ruling of said Board in Case No. 6-R-1211, the Coal Mines Administrator reserves the right, on such notice as he may deem appropriate, to terminate this agreement. The Union reserves the same right.

In the event that legislation, ultimate court decision, or action of the National Labor Relations Board modifies the ruling of said Board in Case No. 6-R-1211, the Coal Mines Administrator and the Union agree that further discussion shall be had looking toward appropriate modification of this agreement. In the event that such modification is not agreed upon within what he may deem to be a reasonable time, the Coal Mines Administrator reserves the right to terminate this agreement on such notice as he may deem appropriate. The Union reserves the same right.

17. *General change in hours or wages or other monetary considerations of employment.* The parties to this agreement agree to meet in the city of Washington, D. C., within ten days of the date of execution of any agreement effecting a general change in the hours or wages or other monetary considerations of employment of rank and file employees in the mines specified above, for the purpose of negotiating a general change in the hours or wages or other monetary considerations of employment of supervisory employees.

Any change in the hours or wages or other monetary considerations of employment of supervisory employees, which is negotiated in accordance with the provisions of this section, shall be effective as of the effective date of the general change in the hours or wages or other monetary considerations of employment of rank and file employees which it is designed to accompany.

18. *Effective date.* This agreement is effective as of April 26, 1947 subject to the approval of appropriate Government agencies.

Signed at Washington, D. C., on the 26th day of April 1947.

N. H. COLLISSON,
Coal Mines Administrator.
JOHN MCALPINE,
President, The United Clerical, Technical, and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America.

Approved:

J. A. KRUG,
Secretary of the Interior.
JOHN L. LEWIS,
President, United Mine Workers of America.

[F. R. Doc. 47-5093; Filed, May 28, 1947; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

[Administrative Order 1262]

ALLOCATION OF FUNDS FOR LOANS

APRIL 30, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Colorado 7M Mesa	$125,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 47-5072; Filed, May 28, 1947; 8:54 a. m.]

[Administrative Order 1263]

ALLOCATION OF FUNDS FOR LOANS

MAY 2, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Kentucky 20K McCracken	$330,000
Kentucky 33M Daviess	400,000
Louisiana 9R Lafayette	350,000
North Dakota 26B LaMoure	300,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 47-5073; Filed, May 28, 1947; 8:54 a. m.]

[Administrative Order 1264]

ALLOCATION OF FUNDS FOR LOANS

MAY 2, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Alabama 47A Arab	$645,000
Colorado 22L Boulder	164,000
Kansas 32S Reno	407,000
North Carolina 43N Jones	290,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 47-5074; Filed, May 28, 1947; 8:54 a. m.]

[Administrative Order 1265]

ALLOCATION OF FUNDS FOR LOANS

MAY 2, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Kansas 14F Sumner-Cowley	$480,000
Nebraska 91B Franklin	251,000
North Carolina 35K Davidson	60,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 47-5075; Filed, May 28, 1947; 8:54 a. m.]

[Administrative Order 1266]

ALLOCATION OF FUNDS FOR LOANS

MAY 2, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Arkansas 26L Fulton	$377,000
Illinois 44K Carroll	162,000
Montana 28B McCone	225,000
Oklahoma 25N Rogers	211,000
Wyoming 14L Laramie	136,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 47-5076; Filed, May 28, 1947; 8:55 a. m.]

[Administrative Order 1267]

ALLOCATION OF FUNDS FOR LOANS

MAY 2, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the

project and in the amount as set forth in the following schedule:

Project designation:	Amount
Missouri 49M Howell	$785,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 47-5077; Filed, May 28, 1947; 8:55 a. m.]

[Administrative Order 1268]

ALLOCATION OF FUNDS FOR LOANS

MAY 2, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Minnesota 63T Scott	$110,000
Missouri 56K Sullivan	105,000
Montana 25D Sheridan	87,000
South Carolina 22L Fairfield	355,000
Texas 100N Washington	425,000
Virginia 29U Nelson	373,000
Wisconsin 19N Chippewa	490,000
Wisconsin 21F Taylor	255,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 47-5078; Filed, May 28, 1947; 8:55 a. m.]

[Administrative Order 1269]

ALLOCATION OF FUNDS FOR LOANS

MAY 5, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Maine 2L Penobscot	$186,000
Missouri 38H Reynolds	288,000
Missouri 47L Cooper	84,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 47-5079; Filed, May 28, 1947; 8:55 a. m.]

[Administrative Order 1270]

ALLOCATION OF FUNDS FOR LOANS

MAY 7, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amount as set forth in the following schedule:

Project designation:	Amount
Florida 26K Hardee	$75,000
Georgia 86N Seminole	420,000
North Carolina 37L Davie	22,000
North Carolina 51F Hoke	680,000
Oklahoma 33F Latimer	242,000
South Dakota 12K Minnehaha	350,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 47-5080; Filed, May 28, 1947; 8:55 a. m.]

[Administrative Order 1271]

ALLOCATION OF FUNDS FOR LOANS

MAY 7, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
South Dakota 36A Edmunds	$210,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 47-5081; Filed, May 23, 1947; 8:55 a. m.]

[Administrative Order 1272]

ALLOCATION OF FUNDS FOR LOANS

MAY 7, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount set forth in the following schedule:

Project designation:	Amount
Louisiana 13M East Baton Rouge	$270,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 47-5082; Filed, May 23, 1947; 8:55 a. m.]

[Administrative Order No. 1273]

ALLOCATION OF FUNDS FOR LOANS

MAY 8, 1947.

By virtue of the authority vested in my by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Missouri 26K Ralls	$433,000
Missouri 36H Audrain	610,000
Missouri 57E Lincoln	2,279,000
Missouri 64A Pike	576,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 47-5083; Filed, May 28, 1947; 8:56 a. m.]

[Administrative Order 1274]

ALLOCATION OF FUNDS FOR LOANS

MAY 9, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Arkansas 15M Woodruff	$130,000
Kansas 13M Brown	175,000
Kansas 40D Leavenworth	$200,000
Michigan 43F Chippewa	370,000
Montana 21H Big Horn	150,000
North Dakota 36C Mountrail	300,000

[SEAL] WILLIAM J. NEAL, *Acting Administrator.*

[F. R. Doc. 47-5084; Filed, May 23, 1947; 8:56 a. m.]

[Administrative Order 1275]

ALLOCATION OF FUNDS FOR LOANS

MAY 9, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Georgia 83P Telfair	$140,000
Kansas 43C Ford	620,000
South Dakota 32A Charles Mix	425,000
Texas 93K Jones	235,000

[SEAL] WILLIAM J. NEAL, *Acting Administrator.*

[F. R. Doc. 47-5085; Filed, May 23, 1947; 8:56 a. m.]

[Administrative Order 1276]

ALLOCATION OF FUNDS FOR LOANS

MAY 9, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Arizona 14K Cochise	$440,000
Florida 14W Clay	650,000
Kansas 41B Wilson	425,000
Louisiana 15H Pointe Coupee	110,000

[SEAL] WILLIAM J. NEAL, *Acting Administrator.*

[F. R. Doc. 47-5086; Filed, May 23, 1947; 8:56 a. m.]

[Administrative Order 1277]

ALLOCATION OF FUNDS FOR LOANS

MAY 14, 1947.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Alaska 3D Kodiak	$310,000
Nebraska 77AF Norris District Public	235,000
North Carolina 46M Madison	710,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 47-5087; Filed, May 23, 1947; 8:56 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2945]

TRANS-CANADA AIR LINES

NOTICE OF HEARING

In the matter of the application of Trans-Canada Air Lines under section 402 of the Civil Aeronautics Act of 1938, as amended, for a foreign air carrier permit authorizing foreign air transportation of persons, property and mail between Winnipeg, Manitoba, Canada and Toronto, Ontario, Canada, via Sault Ste. Marie, Michigan.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of the said act, that a hearing in the above-entitled matter is assigned to be held on May 29, 1947, at 10 a. m. (eastern daylight saving time) in Room 1302, Temporary "T" Building, Constitution Avenue between 12th and 14th Streets, NW., Washington, D. C., before Examiner Richard A. Walsh.

Without limiting the scope of the issues presented by said application, particular attention will be directed to the following matters and questions:

1. Whether the proposed air transportation will be in the public interest, as defined in section 2 of the Civil Aeronautics Act of 1938, as amended.

2. Whether the applicant is fit, willing, and able to perform the proposed transaction and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

3. Whether the authorization of the proposed transportation is consistent with any obligation assumed by the United States in any treaty, convention, or agreement in force between the United States and the Dominion of Canada.

Notice is further given that any person desiring to be heard in this proceeding must file with the Board, on or before May 29, 1947, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

For further details concerning the service proposed and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., May 22, 1947.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-5102; Filed, May 28, 1947; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

KVAK, ATCHISON, KANS.

PUBLIC NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE [1]

The Commission hereby gives notice that on April 15, 1947, there was filed with it an application (BAPL-23) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of AM Station KVAK, Atchison, Kansas, from S. H. Patterson to A. A. Almada. The proposal to assign the license arises out of an agreement pursuant to which Patterson agrees to sell and Almada agrees to buy all the assets and properties used or useful in the operation of AM Station KVAK, Atchison, Kansas, for a total consideration of $80,000. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321, which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicants on May 16, 1947, that starting on May 16, 1947, notice of the filing of the application would be inserted in The Atchison Globe, a newspaper of general circulation at Atchison, Kansas, in conformity with the above rule.

In accordance with the procedure set out in said rule, no action will be had upon the application for a period of 60 days from May 16, 1947, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b) 48 Stat. 1086; 47 U. S. C. A. 310 (b))

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-5138; Filed, May 28, 1947; 9:01 a. m.]

[1] Section 1.321, Part I, Rules of practice and procedure.

FEDERAL POWER COMMISSION

[Docket No. G-352]

FIN-KER OIL AND GAS PRODUCTION CO.

NOTICE OF OPINION AND ORDER DISMISSING APPLICATION FOR WANT OF JURISDICTION

MAY 26, 1947.

Notice is hereby given that, on May 22, 1947, the Federal Power Commission issued its Opinion No. 149 and order entered May 20, 1947, dismissing application for want of jurisdiction in the above-designated matter.

[SEAL] LEO M. FUQUAY,
Secretary.

[F. R. Doc. 47-5100; Filed, May 28, 1947; 8:47 a. m.]

[Docket No. G-481]

HOPE NATURAL GAS CO.

NOTICE OF ORDER DISMISSING APPLICATION

MAY 26, 1947.

Notice is hereby given that, on May 19, 1947, the Federal Power Commission issued its order dismissing application, entered May 13, 1947, in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-5099; Filed, May 28, 1947; 8:47 a. m.]

[Docket No. G-601]

IROQUOIS GAS CORP.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MAY 26, 1947.

Notice is hereby given that, on May 23, 1947, the Federal Power Commission issued its findings and order entered May 22, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-5096; Filed, May 28, 1947; 8:47 a. m.]

[Docket Nos. G-856, G-494]

KANSAS-NEBRASKA NATURAL GAS CO., INC. AND KANSAS NATURAL GAS, INC.

NOTICE OF ORDER DISMISSING APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR WANT OF JURISDICTION

MAY 26, 1947.

Notice is hereby given that, on May 22, 1947, the Federal Power Commission issued its order entered May 20, 1947, dismissing applications for certificates of public convenience and necessity for want of jurisdiction in the above-designated matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-5101; Filed, May 28, 1947; 8:47 a. m.]

[Docket No. G-857]

UNITED FUEL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MAY 26, 1947.

Notice is hereby given that, on May 23, 1947, the Federal Power Commission issued its findings and order entered May 20, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-5097; Filed, May 28, 1947; 8:47 a. m.]

[Docket No. G-858]

OHIO FUEL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND PERMITTING ABANDONMENT OF FACILITIES

MAY 26, 1947.

Notice is hereby given that, on May 23, 1947, the Federal Power Commission issued its findings and order entered May 20, 1947, issuing certificate of public convenience and necessity and permitting

abandonment of facilities in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-5094; Filed, May 28, 1947; 8:46 a. m.]

[Docket No. G-881]

EL PASO NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MAY 26, 1947.

Notice is hereby given that, on May 23, 1947, the Federal Power Commission issued its findings and order entered May 20, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-5098; Filed, May 28, 1947; 8:47 a. m.]

[Docket No. IT-6008]

NORTHWESTERN ELECTRIC CO.

NOTICE OF ORDER APPROVING AMENDMENT TO ALTERNATIVE PLAN OF DISPOSITION OF AMOUNT CLASSIFIED IN ACCOUNT 107, ELECTRIC PLANT ADJUSTMENTS

MAY 26, 1947,

Notice is hereby given that, on May 22, 1947, the Federal Power Commission issued its order entered May 20, 1947, approving amendment to alternative plan of disposition of amount classified in Account 107, Electric Plant Adjustments in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-5095; Filed, May 28, 1947; 8:47 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5471]

NEW ENGLAND FISH CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of May A. D. 1947.

In the matter of New England Fish Company, a corporation, Alvah L. Hager, David F. Choate, James S. Eckman, Harald Synnestvedt, and William J. Rich, individually and as officers of the New England Fish Company.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Everett F. Haycraft, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Tuesday, July 29, 1947, at ten o'clock in the forenoon of that day (Pacific standard time) in Room 117, Federal Office Building, 1st Avenue & Madison Street, Seattle, Washington.

Upon the completion of taking of testimony and receipt of evidence in support of the allegations of the complaint, the trial examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondents. The trial examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 47-5105; Filed, May 28, 1947; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 195]

RECONSIGNMENT OF PEAS AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Minneapolis, Minn., May 22, 1947, by Fry Distributing Co., of cars PFE 95747, SFRD 33587, PFE 74344 and PFE 31942, peas, now on the Great Northern Ry., to Fry Distributing Co., Chicago, Ill. (Milw-IC)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of May, 1947.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 47-5069; Filed, May 28, 1947; 8:54 a. m.]

[S. O. 396, Special Permit 196]

RECONSIGNMENT OF CARROTS AT BOSTON, MASS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Boston, Mass., May 23, 1947, by Tassini & Salisch, of car PFE 31035, carrots, now on the NYNH&H to New York, N. Y.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of May, 1947.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 47-5070; Filed, May 28, 1947; 8:54 a. m.]

[S. O. 744]

UNLOADING OF SHINGLES AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 23d day of May A. D. 1947.

It appearing, that car ATSF 125464, containing shingles, at Los Angeles, California, on the Southern Pacific Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Shingles at Los Angeles, Calif., be unloaded.* The Southern Pacific Company, its agents or employees, shall unload immediately car ATSF 125464, loaded with shingles, now on hand at Los Angeles, California, consigned shippers order, notify E. N. Funk, Seattle, Washington.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., May 26, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately· that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)–(17), 15 (2))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-5068; Filed, May 28, 1947; 8:53 a. m.]

OFFICE OF HOUSING EXPEDITER

[C-18]

POLLY BLITZ

CONSENT ORDER

Polly Blitz is the operator of a real estate agency located at 1750 North Bronson Avenue, Los Angeles, California. She is charged by the Office of the Housing Expediter with a violation of Veterans' Housing Program Order 1 in that on or about December 4, 1946 she began construction, without authorization and at a cost in excess of $2,000 of an eight unit motel structure and of a three-room manager's quarters located at 12135 Branford Street, Pacoima, California. Polly Blitz admits the violation charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Polly Blitz, the Regional Compliance Director and the Regional Compliance Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Neither Polly Blitz, her successors and assigns, nor any other person shall do any further construction on the premises located at 12135 Branford Street, Pacoima, California, including the putting up, completing or altering of any of the structures located on said premises, unless hereafter specifically authorized in writing by the Office of the Housing Expediter.

(b) Polly Blitz shall refer to this order in any application or appeal which she may file with the Office of the Housing Expediter for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Polly Blitz, her successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 28th day of May 1947.

OFFICE OF THE HOUSING EXPEDITER,
By JAMES V SARCONE,
Authorizing Officer

[F. R. Doc. 47-5219; Filed, May 28, 1947; 11:42 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-989]

PACIFIC POWER & LIGHT CO.

ORDER DETERMINING EQUIVALENT VALUE OF PREFERRED STOCK

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of May A. D. 1947

The New York Curb Exchange has made application under Rule X-12F-2 (b) for a determination that the 5% Preferred Stock, Par Value $100, of Pacific Power & Light Company is substantially equivalent to the 7% Preferred Stock, Par Value $100, of that company, which has heretofore been admitted to unlisted trading privileges on the applicant exchange.

The Commission having duly considered the matter, and having due regard for the public interest and the protection of investors;

It is ordered, Pursuant to sections 12 (f) and 23 (a) of the Securities Exchange Act of 1934 and Rule X-12F-2 (b) thereunder, that the 5% Preferred Stock, Par Value $100, of Pacific Power & Light Company is hereby determined to be substantially equivalent to the 7% Preferred Stock, Par Value $100, of that company heretofore admitted to unlisted trading privileges on the applicant exchange.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-5063; Filed, May 28, 1947; 8:47 a. m.]

[File No. 70-1521]

PUBLIC SERVICE CO. OF NEW HAMPSHIRE

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of May A. D. 1947.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Public Service Company of New Hampshire ("New Hampshire") a public utility company and a subsidiary of New England Public Service Company, a registered holding company. Applicant designates section 6 (b) of the act and Rule U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than June 9, 1947, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission orders a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after June 9, 1947, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file in the office of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

New Hampshire proposes to issue and sell at competitive bidding, pursuant to the provisions of Rule U-50, $4,500,000 principal amount of First Mortgage Bonds, Series B, __% due 1977. The bonds are to be issued under and secured by the company's presently outstanding Mortgage dated as of January 1, 1943, as supplemented by the First Supplemental Indenture dated as of December 1, 1943 and the Second Supplemental Indenture to be dated as of June 1, 1947. The interest rate of said bonds (which shall be a multiple of ⅛ of 1% and shall not exceed 3%) and the price, exclusive of accrued interest, to be paid to New Hampshire (which shall not be less than the principal amount of said bonds and not more than 102.75% of such principal amount) are to be determined by competitive bidding. The proceeds (excluding accrued interest) from the sale of the bonds, after the payment of expenses, will be used by New Hampshire to reimburse its treasury for amounts expended in the purchase and construction of property and facilities used in its business and for other corporate purposes.

Applicant states that the proposed transactions are subject to the jurisdiction of the New Hampshire Public Service Commission and the Vermont Public Service Commission, and that when such approvals are obtained, copies of the orders will be filed by amendment to the application.

It is requested that the Commission's order granting the application herein become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-5064; Filed, May 28, 1947; 8:47 a. m.]

[File No. 70-1522]

UNITED GAS CORP. AND UNITED OIL PIPE LINE CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of May A. D. 1947.

Notice is hereby given that a joint declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by United Gas Corporation ("United"), a gas utility subsidiary of Electric Power & Light Corporation, a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, and United's wholly-owned nonutility subsidiary, United Oil Pipe Line Company ("Pipe Line") Declarants have designated section 12 (c) of the act and Rule U-46 thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than June 9, 1947 at 5:30 p. m., e. d. s. t, request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after June 2, 1947 said joint declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule-100 thereof.

All interested persons are referred to said joint declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

The outstanding securities of Pipe Line consist of 5,000 shares of no par value capital stock, all of which are pledged under the Mortgage and Deed of Trust dated as of October 1, 1944 securing United's outstanding bonds. As of March 31, 1947 Pipe Line's assets consisted solely of cash in the amount of $1,313,360. As of the same date, Pipe Line's liabilities amounted to $112,579 of which $112,079 represented accrued taxes.

Pipe Line will be merged into United pursuant to the provisions of section 58A of Chapter 65 of the Revised Code of Delaware, as amended, and under such merger United will acquire all of the property and assets of Pipe Line and will assume all of its obligations. It is stated in the declaration that upon consummation of the merger United will be required to deposit $400,000 with its Mortgage Trustee which amount represents the proceeds from the sale of physical assets by Pipe Line to non-affiliated interests.

The declarants have requested that the Commission's order herein be issued as soon as may be practicable and become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-5065; Filed, May 23, 1947; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9783, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 8958]

LENA MATTERN

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of Lena Mattern, deceased. F-28-23232-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Lena Mattern, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to the personal representatives, heirs, next of kin, legatees and distributees of Lena Mattern, deceased, by Wells Fargo Bank & Union Trust Co., 4 Montgomery Street, San Francisco, California, arising out of a savings account, account number 12599, entitled Estate of Lena Mattern, deceased, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Lena Mattern, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-5107; Filed, May 23, 1947; 8:57 a. m.]

[Vesting Order 8959]

MUENCHMEYER & CO.

In re: Bank account owned by Muenchmeyer & Co. F-28-1486-E-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Muenchmeyer & Co., the last known address of which is Hamburg 1, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Muenchmeyer & Co., by Bank of the Manhattan Company, 40 Wall Street, New York, N. Y., arising out of a Checking Account, entitled Muenchmeyer & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-5103; Filed, May 23, 1947; 8:57 a. m.]

[Vesting Order 8962]

ANTON REINERT ET AL.

In re: Bank accounts owned by Anton Reinert and others.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons listed in Exhibit A, attached hereto and by reference made a part hereof, each of whose last known address is as set forth in Exhibit A, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows: Those certain debts or other obligations owing to the persons listed in the aforesaid Exhibit A, by Provident Savings Bank & Trust Co., 7th and Vine Streets, Cincinnati 2, Ohio, arising out of the accounts, entitled and numbered as set forth opposite the names of the persons listed in the aforesaid Exhibit A, maintained at the branch office of the aforesaid bank located at 4th and Main Streets, Cincinnati, Ohio, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons listed in Exhibit A, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

EXHIBIT A

Name and last known address of owner	Title of account	Account No.	Alien Property file No.
Anton Reinert, Menden, Germany	Paul V. Connolly, attorney in fact for Anton Reinert.	18655	F-28-3378-C-1.
Christine Wilch Ebert, Eberstadt, Germany.	Paul V Connolly, attorney in fact for Christine Wilch Ebert.	18574	F-28-25163-C-1.
Marie Wilch Hechler, Eberstadt, Germany.	Paul V. Connolly, attorney in fact for Marie Wilch Hechler.	18573	F-28-25380-C-1.
Ludwig Wilch, Pfungstadt, Germany.	Paul V. Connolly, attorney in fact for Ludwig Wilch.	18600	F-28-25681-C-1.
Christian Wilch, Eberstadt, Germany.	Paul V. Connolly, attorney in fact for Christian Wilch.	18599	F-28-25686-C-1.
Lina Meyer Seeger, Wilmshausen, Germany.	Paul V. Connolly, attorney in fact for Lina Meyer Seeger.	18597	F-28-26106-C-1.
Fredericka Moeller, Essen-Ruhr, Stadtwald, Germany.	Paul V. Connolly, attorney in fact for Fredericka Moeller.	18217	F-28-26357-C-1.
Heinrich Meyer, Eberstadt, Germany.	Paul V. Connolly, attorney in fact for Heinrich Meyer.	18592	F-28-26372-C-1.
Wilhelm Christian Meyer, Eberstadt, Germany.	Paul V. Connolly, attorney in fact for Wilhelm Christian Meyer.	18575	F-28-26374-C-1.
Christine Meyer Weber, Muehlberg, Germany.	Paul V. Connolly, attorney in fact for Christine Meyer Weber.	18596	F-28-26527-C-1.
Pauline Wilch Walke, Eberstadt, Germany.	Paul V. Connolly, attorney in fact for Pauline Wilch Walke.	18598	F-28-26536-C-1.
Maria Meyer Voller, Vibel, Germany	Paul V. Connolly, attorney in fact for Maria Meyer Voller.	18583	F-28-26553-C-1.

[F. R. Doc. 47-5109; Filed, May 28, 1947; 8:57 a. m.]

[Vesting Order 8964]

ELISABETH WILHELMINA SCHMIEDELL

In re: Stock owned by Elisabeth Wilhelmina Schmiedell, nee Lotze, also known as Elisabeth Wilhelmina Schmiedell, nee Lotze. F-28-1830-D-1/3.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elisabeth Wilhelmina Schmiedell, nee Lotze, also known as Elisebeth Wilhelmina Schmiedell, nee Lotze, whose last known address is Osterdeich 56, Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows:

(a) Thirty (30) shares of $100 par value preferred capital stock of The Baltimore and Ohio Railroad Company, Baltimore, Maryland, a corporation organized under the laws of the State of Maryland, evidenced by certificate number B-110549, registered in the name of Elisabeth Wilhelmina Schmiedell—nee Lotze, together with all declared and unpaid dividends thereon.

b. Fifty-six (56) shares of $100 par value common capital stock of The Baltimore and Ohio Railroad Company, Baltimore, Maryland, a corporation organized under the laws of the State of Maryland, evidenced by certificate number A493753, registered in the name of Elisebeth Wilhelmina Schmiedell—nee Lotze,

together with all declared and unpaid dividends thereon,

c. Two hundred fifty (250) shares of $100 par value common capital stock of Union Pacific Railroad Company, 120 Broadway, New York, New York, a corporation organized under the laws of the State of Utah, evidenced by certificate number A497884 for fifty (50) shares and certificates numbered 424783 and 424784 for one hundred (100) shares each, registered in the name of Mrs. Elisabeth Wilhelmina Schmiedell nee Lotze, together with all declared and unpaid dividends thereon, and

d. Twenty (20) shares of no par value common capital stock of Southern Pacific Company, 165 Broadway, New York, New York, a corporation organized under the laws of the State of Kentucky, evidenced by certificate F487334, registered in the name of Mrs. Elisabeth Wilhelmina Schmiedell, nee Lotze, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-5110; Filed, May 28, 1947; 8:57 a. m.]

[Vesting Order 8965]

ELIZABETH SCHRECK

In re: Personal property and a participation certificate owned by Elizabeth Schreck. F-28-22589-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elizabeth Schreck, whose last known address is Friedenstrasse 36, Wurzburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. One (1) Hamilton man's watch with gold case and chain, presently held for Elizabeth Schreck, in the custody of the safekeeping Department of the First Napa Branch of the Bank of America National Trust and Savings Association, Napa, California,

b. Two (2) gold stick pins, presently held for Elizabeth Schreck, in the custody of the Safekeeping Department of the First Napa Branch of the Bank of America National Trust and Savings Association, Napa, California, and

c. One (1) participation certificate, dated July 1, 1932, of $2,222.87 face value, bearing the number 78288, issued by the National Bank of Bay City, Bay City, Michigan, and presently in the custody of the Safekeeping Department of the First Napa Branch of the Bank of America National Trust and Savings Association, Napa, California, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Elizabeth Schreck, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-5111; Filed, May 28, 1947; 8:57 a. m.]

[Vesting Order 8967]

ELLI HILMA THIEME

In re: Bank account owned by Elli Hilma Thieme. F-28-26326-C-1, F-28-26326-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elli Hilma Thieme, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation of Crocker First National Bank of San Francisco, One Montgomery Street, San Francisco 20, California, arising out of a Savings Account, Account Number 22737, entitled I. F. Chapman or Tom F. Chapman, Trustees for Elli Hilma Thieme, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Elli Hilma Thieme, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-5112; Filed, May 23, 1947; 8:57 a. m.]

[Vesting Order 8968]

ELISE WAGNER

In re: Bank account owned by Elise Wagner. F-28-26539-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elise Wagner, whose last known address is Ernstmuhl, Post Office Herasu, Wurttemberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Elise Wagner, by Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, arising out of a cash custodian account, entitled Swiss Bank Corporation Zurich, Switzerland Special Blocked Account Mrs. Elise Wagner, and any and all rights to demand, enforce, and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-5113; Filed, May 23, 1947; 8:57 a. m.]

[Vesting Order 8969]

SIMON WESTERMEIR

In re: Stock owned by Simon Westermeir. F-28-2706-D-1, F-28-2706-D-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Simon Westermeir, whose last known address is 8 Kirch Street, Trudering by Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Twenty-Five (25) shares of $20.00 par value common capital stock of Mohawk Carpet Mills, Inc., Amsterdam, New York, a corporation organized under the laws of the State of New York, evidenced by Certificate number 13303, registered in the name of Simon Westermeir, together with all declared and unpaid dividends thereon, and

b. One (1) and Two-tenths (2/10) shares of $10.00 par value common capital stock of Cities Service Company, 60 Wall Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by Certificates numbered 456303 for one (1)

share and 297627 for two-tenths (2/10) of one (1) share, registered in the name of Simon Westermeir, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director*

[F. R. Doc. 47-5114; Filed, May 28, 1947; 8:57 a. m.]

[Vesting Order 8970]

PHILIPP WEYERHAEUSER

In re: Bank account owned by Philipp Weyerhaeuser. F-28-25704-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Philipp Weyerhaeuser, whose last known address is Nieder Saulheim, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Philipp Weyerhaeuser, by The First National Bank of Chicago, Dearborn, Monroe and Clark Streets, Chicago, Illinois, arising out of a savings account, account number 1,350,079, entitled Philipp Weyerhaeuser, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-5115; Filed, May 28, 1947; 8:58 a. m.]

[Vesting Order 8971]

JOHANNA WIEBERS

In re: Bank account owned by Johanna Wiebers. F-28-25678-C-1, F-28-25678-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johanna Wiebers, whose last known address is Hamburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation of Crocker First National Bank of San Francisco, One Montgomery Street, San Francisco 20, California, arising out of a Savings Account, Account Number 20710, entitled Tom F Chapman or I. F Chapman, Trustees for Johanna Wiebers, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Johanna Wiebers, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director*

[F. R. Doc. 47-5116; Filed, May 28, 1947; 8:58 a. m.]

[Vesting Order 8972]

MARTHA ELISABETH WILCKENS

In re: Bank account owned by Martha Elisabeth Wilckens. F-28-25682-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Martha Elisabeth Wilckens, whose last known address is Hamburg, Gr. Borstel, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Martha Elisabeth Wilckens, by The First National Bank of Chicago, Dearborn, Monroe and Clark Streets, Chicago, Illinois, arising out of a savings account, account number 1,351,995, entitled Martha Elisabeth Wilckens, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-5117; Filed, May 28, 1947; 8:58 a. m.]

[Vesting Order 8973]

ZENTRALKASSE WUERTTEMBERGISCHER GENOSSENSCHAFTEN

In re: Bank account owned by Zentralkasse Wuerttembergischer Genossenschaften. F-28-25377-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Zentralkasse Wuerttembergischer Genossenschaften, the last known address of which is Stuttgart, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Zentralkasse Wuerttembergischer Genossenschaften, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of an old checks outstanding account, entitled Zentralkasse Wuerttembergischer Genossenschaften, Stuttgart, Germany, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-5118; Filed, May 28, 1947; 8:58 a. m.]

[Vesting Order 8981]

EIMO GERDES

In re: Estate of Eimo Gerdes, deceased. File D-28-8208; E. T. sec. 9243.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ida Sassen, Henry Mammen, John Mammen, Tjardo Osterkamp, Johann Osterkamp, Marie Daniels and Erna Garrels, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the sum of $936.78 was paid to the Alien Property Custodian by W. F. Mammen, Administrator of the estate of Eimo Gerdes, deceased;

3. That the said sum of $936.78 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Alien Property Custodian by acceptance thereof on July 17, 1946, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 19, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-5119; Filed, May 28, 1947; 8:58 a. m.]

[Vesting Order 8985]

MARGARET KONZ

In re: Estate of Margaret Konz, deceased. File D-28-10207; E. T. sec. 14547.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Margareta Taubmann, nee Spath, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the Estate of Margaret Konz, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by Frederick Dorr and John Steneck, as Executors, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 19, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-5120; Filed May 28, 1947; 8:58 a. m.]

[Vesting Order 8989]

AUGUST H. REINECKE

In re: Estate of August H. Reinecke, also known as A. H. Reinecke, deceased. File D-28-10825; E. T. sec. 15248.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fritz Gunther and Ilsa Gunther, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of August H. Reinecke, also known as A. H. Reinecke, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

3. That such property is in the process of administration by Bank of America National Trust and Savings Association, as executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 19, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-5121; Filed, May 28, 1947; 8:58 a. m.]

[Vesting Order 8994]

EMILIE ANNA WEMME

In re: Estate of Emilie Anna Wemme, deceased. File D-28-11324; E. T. sec. 15638.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst Felix Arthur Wemme and Hildegard Quint, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Emilie Anna Wemme, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Portland Trust and Savings Bank, as Administrator, acting under the judicial supervision of the Circuit Court of the State of Oregon for the County of Multnomah, Department of Probate;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 19, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-5122; Filed, May 28, 1947; 8:58 a. m.]

[Vesting Order 9001]

RITA VON KLEIST BODIKER

In re: Stock owned by and debt owing to Rita Von Kleist Bodiker, also known as Rita Von Kleist. F-28-22769-A-1, F-28-22769-D-1/4.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9193 as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Rita Von Kleist Bodiker, also known as Rita Von Kleist, whose last known address is 103 Oberstrasse, Hamburg 13, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Miss Rita Von Kleist, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Rita Von Kleist Bodiker, also known as Rita Von Kleist, by The Stevensville Bank of Maryland, Stevensville, Maryland, arising out of an account entitled Rita Von Kleist Bodiker, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

EXHIBIT A

Name and address of corporation	State of incorporation	Type of stock	Certificate No.	Number of shares
Texas Gulf Sulphur Co., 75 East 45th St., New York, N. Y.	Texas	No par value capital	276529	6
General Electric Co., 1 River Road, Schenectady, N. Y.	New York	No par value common	NYE-65003	8
Chicago Pneumatic Tool Co., 6 East 44th St., New York, N. Y.	New Jersey	No par value prior preferred.	PPO-218	5
The American Rolling Mill Co., 703 Curtis St., Middletown, Ohio.	Ohio	$100 par value 4½ percent cumulative convertible preferred.	NPO5263	5

[F. R. Doc. 47-5123; Filed, May 28, 1947; 8:58 a. m.]

[Vesting Order 9005]

FRIEDA FEYERABEND

In re: Bank account and stock owned by Frieda Feyerabend. F-28-9692-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Frieda Feyerabend, whose last known address is Auguste Viktoria Strasse, Berlin-Schmorgendorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows:

a. That certain debt or other obligation owing to Frieda Feyerabend, by Central National Bank of Cleveland, 308 Euclid Avenue, Cleveland 1, Ohio, arising out of an Estates Trust Department account, account number A-2824, entitled Frieda Feyerabend Agency, and any and all rights to demand, enforce and collect the same, and

b. Thirteen (13) shares of $100 par value capital stock of Bedford Land and Improvement Company, Cleveland, Ohio, a corporation organized under the laws of the State of Ohio, evidenced by certificate number 33, and presently in the custody of Central National Bank of Cleveland, 308 Euclid Avenue, Cleveland 1, Ohio, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-5125; Filed, May 28, 1947; 8:59 a. m.]

[Vesting Order 9008]

OSAKA HATUBAISYO

In re: Stock owned by a debt owing to Osaka Hatubaisyo, also known as Osaka Sales Guild. F-39-5805-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Osaka Hatubaisyo, also known as Osaka Sales Guild, the last known address of which is Osaka, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan, and is a national of a designated enemy country (Japan),

2. That the property described as follows:

a. Four hundred (400) shares of $15 par value capital stock of Socony Vacuum Oil Co., Inc., 26 Broadway, New York 4, New York, a corporation organized under the laws of the State of New York, evidenced by Certificates Numbered 313432, 313433, 313434 and 313435 for 100 shares each, registered in the name of Hurley & Co., presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Osaka Hatubaisyo, also known as Osaka Sales Guild by The National City Bank of New York, 55 Wall Street, New York, New York, in the amount of $317.00, as of December 4, 1946, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein, shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-5126; Filed, May 23, 1947; 8:59 a. m.]

[Vesting Order 9017]

HEINRICH MEYER AND JAKOB STRAUSS

In re: Stock owned by Heinrich Meyer and Jakob Strauss. F-28-1129-D-1, F-28-23223-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Meyer, whose last known address is Leeste 34, Bremen 5, Hannover, Germany, and Jakob Strauss, whose last known address is Martin Lutherstrasse 95, Berlin, Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows: Fifty-three (53) shares of no par value capital stock of Kennecott Copper Corporation, 120 Broadway, New York, New York, a corporation organized under the laws of the State of New York, evidenced by the certificates listed below, registered in the names of the persons listed below in the amounts appearing opposite each name as follows:

Registered owner	Certificate No.	Number of shares
Heinrich Meyer	O 303709	50
Jakob Strauss	O 344303	3

together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-5128; Filed, May 23, 1947; 9:00 a. m.]

[Vesting Order 9019]

DR. JUR. HANS NAUMANN

In re: Stock owned by Dr. Jur. Hans Naumann. F-28-1356-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. Jur. Hans Naumann, whose last known address is Celle, Hanover, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: One hundred and fifty (150) shares of $100 par value common capital stock of Union Pacific Railroad Company, 120 Broadway, New York, New York, a corporation organized under the laws of the State of Utah, evidenced by certificates numbered B341045/51 for ten (10) shares each and certificate number A356709 for eighty (80) shares, registered in the name of Dr. Jur. Hans Naumann, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-5129; Filed, May 28, 1947; 9:00 a. m.]

[Vesting Order 9024]

ELISABETH ROSSKOTHEN

In re: Stock owned by Mrs. Elisabeth Rosskothen. F-28-8877-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Elisabeth Rosskothen, whose last known address is Schevenstrasse 15, Dresden, Loschwitz, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Five thousand and three (5003) shares of $10.00 par value preferred capital stock of H & B American Machine Company, Pawtucket, Rhode Island, a corporation organized under the laws of the State of Maine, evidenced by certificates numbered 3110, 3111 and 3112 for 1000 shares each, 3113 for 1003 shares, and 3114 and 3115 for 500 shares each, and registered in the name of Mrs. Elisabeth Rosskothen, together with all declared and unpaid dividends thereon, and any and all rights to convert said five thousand and three (5003) shares of preferred stock into three thousand seven hundred and fifty two and ten fortieths (3752 10/40) shares of the new common no par value shares of the aforesaid company,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-5130; Filed, May 28, 1947; 9:00 a. m.]

[Vesting Order 9028]

LUZIA SCHWARZ

In re: Stock owned by Luzia Schwarz. F-28-24129-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Luzia Schwarz, whose last known address is Zimmern u/d Burg, Amt Rottweil, Wuerttemberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Ten (10) shares of no par value common capital stock of General Electric Company 1 River Road, Schenectady, New York, a corporation organized under the laws of the State of New York, evidenced by certificate number NYE-255564, registered in the name of Mrs. Emma Mesnig and presently in the custody of J. S. Bache and Company, Schenectady, New York, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation of O. E. Heck, 151 Barrett Street, Schenectady, New York, in the amount of $16.38, as of April 19, 1947, arising out of certain funds received on behalf of Mrs. Emma Mesnig, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Luzia Schwarz, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-5131; Filed, May 28, 1947; 9:00 a. m.]